



# PROCEEDINGS OF THE GIBRALTAR PARLIAMENT

**AFTERNOON SESSION: 3.02 p.m. – 7.00 p.m.**

**Gibraltar, Thursday, 22nd February 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*]

## PRAYER

*Madam Speaker*

### **Standing Order 7(1) suspended to proceed with Government Statement.**

**Clerk:** Meeting of Parliament, Thursday, 22nd February 2024.

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

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

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

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**Hon. Chief Minister:** Madam Speaker, the Government has been monitoring developments in respect of two dutiable commodities in the course of the current financial year. We have been concerned in the case of tobacco to continue to ensure that the price of tobacco in Gibraltar is designed to suppress any potential growth of the illicit market in such products.

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We are equally concerned to ensure that the market in automotive fuel continues to be accessible to those who need to use their vehicles for work or family purposes. Madam Speaker, a vehicle today is not a luxury; for many it is an essential tool. In the circumstances, Madam Speaker, the Government now makes the following announcements.

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The duty on each master case of tobacco will go up from midnight last night, that is to say zero hours today, Thursday, 22nd February, by £100. That is the equivalent of 20 pence per packet of 20 cigarettes, £2 per carton, or £10 per 1,000 sticks – the latter being the international customs measure for such duties.

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This measure is designed to ensure that we keep to the international obligations Gibraltar has acquired in the years that we have been in Government and adds to the battery of measures we have introduced to ensure the control of the tobacco market in Gibraltar. Additionally, in relation to the market in automotive fuel the Government is today re-introducing for another six months the fuel duty discount which had been in place until 31st December 2023.

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Madam Speaker, we consider that the price competition from around Gibraltar is damaging to suppliers and consumers in Gibraltar in this commodity and for that reason we are taking this step.

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**Madam Speaker:** Does any Member wish to ask any questions for the purposes of clarification?

**Hon. Dr K Azopardi:** Madam Speaker we note the statement. I should say, perhaps, flagging initially that we saw that the Chief Minister was going to make a statement in the Agenda that was circulated at around 2 p.m. today, but we had not had a copy, an advance copy, of the

statement even though the Chief Minister had indicated on a previous occasion that he would try to circulate an advance copy of statements to the Opposition.

And, of course, we understand that sometimes it is not possible for that to happen but it strikes me, having heard his statement, that this is not that kind of statement which was either urgent or something that perhaps did not or was not being conceived of for some time because there must have been thinking on it. So perhaps the Chief Minister might consider responding on that point as to the reasons why that statement was not shared.

We welcome the reintroduction of the fuel duty discount, albeit for the six-month period. It may be something that, in due course, the Government wants to reflect further but we understand that a six-month period would allow them to do that and we welcome that.

In relation to the to the tobacco increases can I just ask for clarification: is this a purely fiscal measure driven by financial reasons or the other reasons that the Chief Minister has said, or is this also something that is related to the ongoing discussions with the EU in respect of a possible new treaty and the parallel discussions, of course, with Spain in respect of such matters?

I am grateful.

**Hon. Chief Minister:** Well, Madam Speaker, first of all let me say I am pleased to hear that at least the Government can count with the support of the Opposition in relation to the fuel duty discount. I had no doubt that when it came to reducing the cost of something, they would be on our side, at least for now.

On the issue of the tobacco, Madam Speaker, let me tell the hon. Gentleman that what I have said are the reasons, are the reasons. That is to say, in order to control the market in tobacco and to avoid any illicit activity. All illicit activity that there has been in the past has been driven by price and what we are doing is ensuring that we are keeping to the commitments that we have given in respect of, not just price but also quantities.

Hon. Members may recall that there was an investigation involving the European Anti-Fraud Agency, also known as OLAF, some years ago. I think it predates any of them being Members of this House, where there was a commitment from Gibraltar that we would not exceed 10 million sticks a year and all of the issues that we look at relate to those obligations.

So this is a measure driven by the advice we have about the possibility of the Gibraltar market going beyond what we have agreed is the right size of the Gibraltar market in the context of its surroundings, its proper market in the context of its surroundings and its own proper size.

Finally, Madam Speaker, in the context of what the hon. Gentleman said about a statement, I think I have demonstrated since we agreed that we would try and give Members copies of statements during the course of the day in which we expect to deliver them, or earlier, if possible, that we keep to that. This is not such a statement.

The reason I did not share this statement with the hon. Gentleman is because this is a statement which relates to the increasing and lowering of duties; and he will recall from the time that he was in Government, I expect, I do not know whether he was ever involved in the drafting of budget measures and the delivery of a budget speech, I mean in my Government, some of my Ministers get involved. I understand that in Governments led by leaders of the party that Members opposite represent, this was very much something done in a unitary way; that is to say, only one person did it. But in my Government it is a collegiate thing and the only people who knew about these measures were the people who needed to know because it is a measure that relates to how duties will be charged, etc.

So, on this occasion I did not share the statement with him. If the tables were ever to be reversed and a leader of the party that they represent was not at budget time going to make such a statement, we would not expect to be told ahead of the time that such a statement would be made. I would say, with the greatest of respect to the hon. Gentleman, that it did not relate to a lack of confidence between him and me – which, of course, there is a confidence to be able to share information between him and me – but it relates to the fact that if these things get out,

I would have thought the hon. Gentleman would have wanted to be able to say, 'Well, I did not know, so it could not have got out through me.'

90 Because, of course, as he will recall there was one instance, I think, in the past when a budget measure, many years ago, I think the only person who will remember will be Sir Joe Bossano, where a budget measure appeared to have got out, there was a run in a particular commodity and there had to be an investigation of the House as a result of all of that.

95 So for that reason, Madam Speaker, although my statement was ready and was shared with you, it was purposely not shared with him on this occasion because of the nature of the statement, it is not a purely political statement, it is a revenue-raising statement and for that reason it would not have been shared.

Obviously, in relation to fuel, it is slightly different. I would not have expected that if he needed to fill his car, he would not have gone today because he will know it will be cheaper to go tomorrow but because the Government is doing that on purpose.

100 Madam Speaker, I hope that that has dealt with the issues the hon. Gentleman has raised, and I am happy to deal with any other issues that any other hon. Member may wish to raise.

**Madam Speaker:** Any other hon. Member wish to speak?

105 **Hon. Chief Minister:** In that case, Madam Speaker, I commend my Statement to the House.

## Questions for Oral Answer

### CHIEF MINISTER

**Q217-19/2024**

**Customs Boat Section –  
No patrols over recent weeks**

**Clerk:** Chief Minister's Questions.  
Question 217. The Hon. J Ladislaus.

110 **Hon. J Ladislaus:** Can the Hon. Minister please state the reasons why there have been no Customs Boat Section patrols in our waters over recent weeks?

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

115 **Chief Minister (Hon. F R Picardo):** Madam Speaker, I will answer with Questions 218 and 219.

**Clerk:** Question 218. The Hon. J Ladislaus

120 **Hon. J Ladislaus:** Can the Hon. Minister state the reasons why the HMRC Marine Sections fleet is currently out of action and what is being done to remedy this?

**Clerk:** Question 219. The Hon. J Ladislaus.

125 **Hon. J Ladislaus:** It is understood that there are plans to move the Gib Oil Station from the Mole due to health and safety concerns. Are there also plans to move the HMRC marine crew to new premises?

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

130 **Hon. Chief Minister:** Madam Speaker, H.M. Customs has been provided by the GSLP Liberal Government that I lead, for the first time in its history with bespoke assets for their hugely important law enforcement work. This is work that they do in British Gibraltar territorial waters. Indeed, the clear policy difference between the party Members opposite and the party and coalition that I lead, is that we have always explicitly recognised H.M. Customs Gibraltar as a law enforcement agency and they have long had a policy of not considering H.M. Customs Gibraltar a law enforcement agency.

135 I can tell the House that H.M. Customs now has three vessels we provided funding for and which they voted not to fund – namely *HMS Sentinel*, *HMS Searcher* and *HMS Seeker*. As is routinely the case, some of the vessels or their engines require programmed maintenance and may be unavailable at different times.

140 Occasionally due to operational accidents or other use cases, maintenance of more than one vessel may have to occur at the same time, thereby depleting the availability of the bespoke marine assets available to the collector and his law enforcement agents at any point in time. But gone are the days, Madam Speaker, when the collector and his team had to rely, as they did when the party opposite was in power, on confiscated assets in order to discharge their important law enforcement actions.

145 *HMS Searcher* was subject to a collision with a drugs vessel in August 2021. During that incident, two and a quarter tons, 2,236 kilos of cannabis were seized and four persons arrested. The occupants were convicted and served custodial sentences. I do not know who sentenced them.

150 *Searcher* sustained structural damage, all of which was successfully repaired in the UK. The vessel has been installed with new engines and is waiting for new navigational equipment. *HMC Searcher* has been back in the water since last week. It is undergoing sea trials and the engines are being run in. The vessel should be fully operational in coming days.

155 *HMC Sentinel* and *HMC Seeker* have been in service at different times during the period of *Searcher's* repair. They too are now going to benefit from new engines. Madam Speaker, it would obviously not, however, be in the public interest to advertise the details of availability, or lack of it, of maritime law enforcement assets. To do so would only be in the interest of bad actors, who I am sure the hon. Lady and no other Member of this House would wish to even, inadvertently, assist and I say that with no hint of irony. The Government and H.M. Customs are aware of the works proposed at the Gib Oil Compound at the North Mole.

160 Enquiries have already been made on health and safety implications on the adjacent HMC Marine Section Station. As yet there are no plans to relocate this station. Notwithstanding this, the footprint of the North Mole is being looked at holistically by the Government and this includes the area of what we might call the current customs building.

165 **Hon. J Ladislaus:** I am grateful. Could the Hon. Minister confirm when they expect that *Searcher* will return to full operational duty?

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

**Madam Speaker:** Now the supplementals.

**Hon. Dr K Azopardi:** I think he said that it is in the water since last week, but did that mean that it is fully operational since last week? Is that what he meant?

175 **Hon. Chief Minister:** The vessel should be fully operational in coming days, I said.

**Madam Speaker:** Next question.

**Hon. D J Bossino:** May I ask a question?

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**Madam Speaker:** Well, you may if you are prompt.

**Hon. D J Bossino:** The reason, because I thought that I was – (*Interjections*)

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**Madam Speaker:** I am looking at the Members of the Opposition carefully before I flag the next question and I have no hint that anybody wanted to ask a question.

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**Hon. D J Bossino:** In the very last words of his reply the Hon. Chief Minister talked about in answer to a question in the Order Paper 209/2024 about the North Mole, the question is phrased as the Mole and he referred to the North Mole. He said it is being looked at holistically by the Government. Can he give a bit further information in relation to that? What the Government is considering in that respect?

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

**Hon. D J Bossino:** Why?

**Hon. Chief Minister:** Because it is a process that has just begun.

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**Hon. D J Bossino:** But is there anything else which prevents him from providing that information? Just because it has just begun is not, in my book, a sufficient reason for the Government not to provide further information? Can he not give some information, even if it is just by way of headline issues which the Government is considering doing in that particular area?

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**Hon. Chief Minister:** Hon. Member, it is not my obligation to waste ... well in fact, it is my obligation not to waste the time of the House by referring the House to things which are public. So the hon. Gentleman knows that we are looking at a potential new cruise liner terminal and cruise liner terminal redesign. The hon. Gentleman knows that Gib Oil is undergoing some works and the hon. Gentleman knows that we have said that we are looking at the whole area holistically.

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That means that you are taking a blank canvas approach to the whole thing and I have told him we have just begun to do that. So I cannot tell him more because anything I will tell him now is just to say, look we have started to look at this whole area to see what is the best way to take it forward with the public commitment there is to a new cruise liner terminal, the public statements that there have been about Gib Oil redoing its facilities there; the L&G facility, which the public are aware the GSD were against but is now there; the power station, which the public are aware the GSD wanted to make a diesel-fired one up at the Upper Rock Nature Reserve, burning grimy, smelly diesel; and we went instead for L&G.

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All of those things are the things that we are looking at holistically. We have started to do that, there is no other reason beyond the fact that we have just begun and we are going to take advice on it, that I do not want to tell him anymore. Because if we are going to take advice on it, we are going to ask, not space planners because it is not an office, but architects to look at what the best layout is working with the Port, working with Customs, working with Gib Oil, working with the Electricity Authority, etc.

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I have told him, I have told them, that we have started the process of doing that. I cannot tell him more other than we have started the process of doing that. If I do, in fact, tell him more, if

I were to tell him, which is not the case, that I actually think that the cruise liner terminal should be located at the southern end of the plot rather than the northern end, he will say: 'What is the point of you getting architects, you already think that you know better than anyone and you have decided what is going to happen?'

We have not; it is a blank canvas. We are looking at it holistically; we want to make sure that we have the best possible final plan. We have no view on whether the cruise liner terminal should be on the south, the north, the east or the west, although if it were east or west it might fall into the sea. So that is why I am not saying more, Madam Speaker.

**Hon. D J Bossino:** The hon. Gentleman, I do not know, seems rather irate this afternoon (*Interjection*) and this is what actually prompts me to get up and ask him a further question because when it gets like that, there is something going on. (*Laughter*) That is my default position.

Madam Speaker, given that he is refusing to answer the question and he talks about a blank canvas, it does not seem to be much of a blank canvas, so many things going on in that limited area does not have much of a blank canvas as he suggests? But given that the reason why he is not answering the question as to what the Government's holistic plans are for the area is because he has just started looking at it, can he at least advise us when he thinks he will be in a position to provide that answer, given that it is time which is preventing him from providing the answer?

When does he think he will be in a position – and I will not hold him to it. But when does he think he will be in a position to provide us with further information?

**Hon. Chief Minister:** Well, Madam Speaker, the hon. Gentleman and I know each other very well. But sometimes we misjudge each other. The hon. Gentleman is wrong to think that because I have given him an animated answer, when he has got up to insist on more detail on something on which there is not more detail, that there is somehow something to hide. But I do understand that that is his default position.

In other words, when he is told the truth, he wants to go behind it. He is the doubting Thomas, if he will permit me, of Gibraltar politics. Without putting his finger in the wound he will not believe that one is suffering a bleeding wound from a Roman spear. But look, I do not accept from him, Madam Speaker, especially as a Gibraltarian, that you cannot have a better distribution of things being done in a limited space because, actually to a very great extent, that is what Government is about in Gibraltar.

It is about the Rubik's Cube that is Gibraltar. Just say the word 'relocations' in the presence of the Deputy Chief Minister and you understand what a Rubik's Cube Gibraltar is. I cannot give him a time frame, Madam Speaker, but I expect that we will want to do that exercise relatively quickly, because on that depends the delivery of various manifesto commitments, which we wanted to deliver in the time frame of the lifetime of this Parliament.

**Madam Speaker:** Next question.

**Q220/2024**  
**Grand Battery House –**  
**Future use and management**

**Clerk:** Question 220. The Hon. E J Reyes.

**Hon. E J Reyes:** Madam Speaker, can Government provide this House with details of its intentions for the future use and management of Grand Battery House?

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



275 **Chief Minister (Hon. F R Picardo):** Well, Madam Speaker, the Government is currently reviewing all matters relating to the management of Grand Battery House, with senior Members of the Royal Gibraltar Regiment. We should be in a better position to make a statement in the coming months.

**Hon. E J Reyes:** Thank you, Madam Speaker.  
Is it Government's intention to renew the terms and conditions or perhaps to remove the use or the management of Grand Battery House from the regiment itself?

280 **Hon. Chief Minister:** Well, Madam Speaker, the Government's intention is to continue to work with the senior members of the Royal Gibraltar Regiment, whom we are talking to at the moment, to reach a determination of what it is that we consider is in the public interest to do in respect of Grand Battery House and to then make a statement, as I have just said.

285 **Madam Speaker:** Next question.

**Q221/2024**  
**Gibraltar Football Association –**  
**Loans made; purpose; repayment agreements**

**Clerk:** Question 221. The Hon. E J Reyes.

290 **Hon. E J Reyes:** Has Government, or any Government-owned company, made any loans to the Gibraltar Football Association over the last 10 years, and if so what was the purpose and repayment agreements in respect of each of those loans?

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

295 **Chief Minister (Hon. F R Picardo):** Madam Speaker, His Majesty's Government of Gibraltar advanced a total of £965,930.10 to the Gibraltar Football Association during the financial year 2014-15 and 2015-16.

In financial year 2014-15, £919,176.10 was advanced.

300 In financial year 2015-16, £46,754 was advanced. This was repaid in one instalment on 6th February 2017; and £83,072.97 was paid by the GFA in respect of interest on the amount advanced.

305 Since the new project began the Government has advanced £524,139.81 by way of loan advance which we expect to be fully repaid, with interest, as the project preparation work is completed and the finance secured flows.

**Hon. E J Reyes:** Thank you, Madam Speaker.

In the first loans made in the financial years 2014-15 and 2015-16 of almost £966,000 the Chief Minister has failed to highlight what the purpose of that loan was.

310 **Hon. Chief Minister:** The development of the plans for the then stadiums that the GFA were pursuing.

315 **Hon. Dr K Azopardi:** Madam Speaker, can I just ask: he gave two figures, £965,000, which I understood from his answer was repaid in 2017; and then a further sum of £524,000 advanced for what he called a new project. Can I ask him when that £524,000 was advanced and does he mean by the new project, the new stadium?

**Hon. Chief Minister:** I understand, Madam Speaker, and in the course of the last two financial years; and I do mean the new stadium.

320 **Hon. Dr K Azopardi:** Madam Speaker, can I also ask whether the Government intends to advance further sums in respect of that project; and is the advance to GFA itself, or is it to an entity because there is an entity mentioned in the planning application, for example?

325 **Hon. Chief Minister:** Madam Speaker, I believe the answer to the first part of his question is yes; and to the second part of his question, we are advancing to the covenant of the GFA, but to Stadium Developments Limited, which is 100% owned by the GFA, which is the development company for the stadium.

330 **Hon. Dr K Azopardi:** And can I ask how much more they intend to advance?

**Hon. Chief Minister:** That is led, Madam Speaker, by the cost of the project as it would be in respect of any other project, whether there needs to be revisions which require further fees, etc.

335 **Hon. Dr K Azopardi:** And are these advances primarily for the architects fees and things like that, or is it in relation to more substantial funds directed at the construction project itself?

**Hon. Chief Minister:** As I understand it, Madam Speaker, it is architects and professional fees related to the designs.

340 **Hon. Dr K Azopardi:** And can I ask the Chief Minister then to respond on this issue. He will recall, obviously as it is his commitment, but that in the run up to the last election, initially that there had been an announcement made by the Father of the House in the stadium itself saying that there would be the use of savers' money.

345 There was then a backtracking of the Government and there was a manifesto commitment by his party, his coalition, ahead of the last election that there would not be a stadium built which was funded with the need of savings-bank money or taxpayers' money. Is this not a reversal of the promise he made to the people of Gibraltar?

350 **Hon. Chief Minister:** Far from it, Madam Speaker, this is exactly what I promised the people of Gibraltar. It is a delivery on the clear commitment that we entered into, that this money will actually be repaid before the building process starts and with interest, just as we did last time. The hon. Gentleman might care to work out that we took 8.6% interest from the GFA last time on the loan that we advanced.

355 This is the use of the taxpayers' money for the purposes of advancing, but to be repaid with interest, so that by the time that the building of the stadium starts, we will have been repaid in full and with interest. Therefore, if the hon. Gentleman cares to analyse the commitment that I gave against the information I have given him today, he will see that as usual, as ever, and as we always do, we are keeping entirely 100%, our word to the people of Gibraltar.

360 **Hon. Dr K Azopardi:** That is just the argument that the Father of the House deployed on television and in other media outlets when he was asked, he was trying to explain, to justify the use of savings bank monies that it would be provided at interest. But there was a public outcry at the use of savings-bank monies, as there was at the idea that taxpayers' money would be used.

365 The interest that you might get is not a justification for the public outcry and it was in the face of public outcry that the GSLP Liberals gave a commitment not to use savings-bank monies or taxpayers' monies and is this not just an abdication of that commitment?

**Hon. Chief Minister:** The hon. Gentleman would not understand a commitment if it slapped him in the face, Madam Speaker. There is a huge difference between investing in something and receiving interest, using the money to build and staying there and receiving interest whilst you are repaid, and advancing monies for plans and getting paid before building starts.

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So far from being a reversal of our commitment this is a clear delivery on my word and the word of every one of the Members of the GSLP Liberal slate that we gave to the people of Gibraltar and ensuring that we are repaid before building starts. We are honouring our commitment. We are maintaining our commitment. We are delivering on our commitment as we always do, Madam Speaker.

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**Madam Speaker:** There have been seven supplementaries on this. (*Interjections*) There have been seven supplementaries on this question, that is sufficient. Next question.

**Q222/2024**  
**Royal Gibraltar Regiment –**  
**Act; Pensions regulations; and others**

380  
**Clerk:** Question 222. The Hon. E J Reyes.

**Hon. E J Reyes:** Can Government provide details in respect of developments and possible updates it is working upon, which may require to be legislated either through this Parliament or via subsidiary legislation pertaining to the Royal Gibraltar Regiment Act, Royal Gibraltar Regiment Pensions Regulations and other possible connected laws.

385  
**Clerk:** Answer, the Hon. the Chief Minister.

**Chief Minister (Hon. F R Picardo):** Well, Madam Speaker, His Majesty's Government of Gibraltar published the Gibraltar Regiment Amendment Bill 2024 yesterday, which is a Bill that will amend the Gibraltar Regiment Act to provide a regulation-making power in the main Act. Should the Parliament approve the Bill, it is envisaged that subsidiary legislation will be promulgated for the purposes of the calculation of the payment of pensions.

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Separately, the Government is drafting legislation that will also amend the Gibraltar Regiment Act and that legislation touches on disciplinary matter. The draft will amend the Gibraltar Regiment Act 1998, in order to replace the existing disciplinary regime applicable to the Royal Gibraltar Regiment, with one based on the current regime for the UK Armed Forces by applying the UK Armed Forces Act 2006 and related legislation.

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**Hon. Dr K Azopardi:** Can I just ask the Chief Minister in terms of the timing of that legislation because we noticed that it was published yesterday under cover of an extraordinary *Gazette*. Is the reason for that that he intends to certify urgency and take that soon?

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**Hon. Chief Minister:** Madam Speaker, the legislation had been pending certain changes. As we understand it, the legislation is urgent because it delays the payment of recalculated pensions in keeping with case law that developed in the UK, but which requires statutory change in Gibraltar in order for the payments to be made in a particular way, and for the manner in which the regulations can be made.

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Hon. Members will know that it is not possible for a Bill touching matters relating to defence to be moved without the consent of the Governor under our Constitution; and so all of those stars aligned in time for publication yesterday and if not impossible, will take the Bill either this session or the next session. It is a very short Bill, as hon. Members will have seen.

**Madam Speaker:** Next Question.

**Q223/2024  
Import Duty –  
Collected for January 2024**

**Clerk:** Question 223. The Hon. R M Clinton.

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**Hon. R M Clinton:** Madam Speaker, can the Government advise the amount of import duty collected for the month of January 2024?

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

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**Chief Minister (Hon. F R Picardo):** Madam Speaker, the import duty collected for January 2024 is £8,856,928.31.

**Madam Speaker:** Next question.

**Q224/2024  
Credit Cards –  
Issuance to public servants or Ministers**

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**Clerk:** Question 224. The Hon. R M Clinton.

**Hon. R M Clinton:** Can the Government advise, what is its policy in respect of the issuance of credit cards to public servants or Ministers?

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

**Chief Minister (Hon. F R Picardo):** Madam Speaker, Government policy is to keep the number of credit cards issued to public servants or Ministers to a minimum. Only 28 credit cards are in issue, 11 are issued from the address of the London office, 17 are issued to Gibraltar addresses. Of these 17, eight relate to Ministers.

435

The other holders are: Mr Glendon Martinez, the Chief Secretary; Mr Charles Santos, the Financial Secretary; Mr Michael Llamas, the Attorney General; Mr Richard Ullger, the Commissioner of Police; Mr Dominique Searle, the Head of the Gibraltar Office in London; Mr Edgar Lopez, the Head of the Gibraltar Financial Intelligence Unit.

440

Additionally, the Chief Minister's three close protection officers all also hold a credit card for emergencies whilst travelling.

The list of persons holding a credit card issued to the address of the London office are as follows: Mr Peter Canessa, the Chief Minister's Principal Private Secretary; Mr Clive Golt, the Media Director; Mr Joe Bossano, the Minister for Inward Investment and the Savings Bank; Mr Michael Llamas, the Gibraltar Attorney General; Mr Kevin Bossino of the Gibraltar Tourist Board, the CEO; Mr Gareth Flower of the Ministry of Justice, Trade & Industry; Mr John Reyes of the Gibraltar Parliament, I think relating to a previous role; Mr Paul Astengo of the Finance Centre; Mr Dominique Searle, also of Gibraltar House, London; Mr Tyrone Duarte of Gibraltar House, London; and Mr Nicholas Fromings of Gibraltar House, London.

445

450 All credit card requests are approved by the Financial Secretary.

**Hon. R M Clinton:** Madam Speaker, I am grateful to the Chief Minister for the comprehensive answer.

455 Can I just ask him two questions: supplementary one, are all these credit cards issued or held with the same banking institution? And secondly, if I heard him correctly, there would appear to be some duplication in the sense of the London-issued and the Gibraltar-issued cards or Gibraltar address cards in that there are card names in common in that an individual can hold both a card with a London address and a card with a Gibraltar address?

If that is so, what is the rationale for that?

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**Hon. Chief Minister:** Well, Madam Speaker, the rationale for that is that there are only, as far as I can see, two people who hold both a Gibraltar card and a UK card. That is Joe Bossano, you would not think he would be off on a spending spree on anything. And you would be lucky if you found him spending on anything, (*Laughter*) even, if I may say so, dinner in New York! And Mr Dominique Searle who, I believe holds the credit card for good reason, in both Gibraltar and London.

465

In respect of his question on institutions, I believe that all of the Gibraltar cards are held in one institution and all of the London cards are held in another institution.

470 **Madam Speaker:** Next question.

**Q225/2024  
Public Audit Bill –  
Coming to Parliament**

**Clerk:** Question 225. The Hon. R M Clinton.

**Hon. R M Clinton:** Can the Government advise when he intends to bring the Public Audit Bill to Parliament?

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

**Chief Minister (Hon. F R Picardo):** Madam Speaker, the draft Public Audit Bill is being reviewed, it is currently in the process of discussion between the Financial Secretary and the Principal Auditor. I should, therefore, soon receive a brief from the Financial Secretary, which will enable the Government to take a view on the Bill and how it should proceed to publication.

480

**Madam Speaker:** Next question.

**Q226-231/2024**  
**Treasury Department –**  
**Monthly reconciliations**

485 **Clerk:** Question 226. The Hon. R M Clinton.

**Hon. R M Clinton:** Madam Speaker, can the Government advise what steps it has taken to ensure the Treasury Department is up to date in performing monthly bank reconciliations, a matter the Principal Auditor described in his recent report on section 3.2.24 as I quote, ‘an essential control tool’?  
490

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

**Chief Minister (Hon. F R Picardo):** Madam Speaker, I will answer together with questions 227  
495 to 231.

**Clerk:** Question 227, the Hon. R M Clinton.

**Hon. R M Clinton:** Madam Speaker, can the Government advise the status of the arrears recovery legislation referenced by the Principal Auditor, section 3.3.7, in his recent report?  
500

**Clerk:** Question 228, the Hon. R M Clinton.

**Hon. R M Clinton:** Can the Government advise why the Principal Auditor has found in his recent report, 3.10.4, that there is no formal contract in place for the use of International Hansard Services from the Isle of Man?  
505

**Clerk:** Question 229, the Hon. R M Clinton.

**Hon. R M Clinton:** Can the Government advise what steps it has taken to ensure that statutory authorities agencies are submitting their accounts to the Principal Auditor by the stipulated dates and not lagging, as noted by the Principal Auditor in his recent report, section 4.1.13?  
510

**Clerk:** Question 230, the Hon. R M Clinton.

**Hon. R M Clinton:** Can the Government advise what steps will be taken to ensure that the accounts of bodies for whom the Principal Auditors as certified are tabled in Parliament in a timely fashion, since he notes in his recent report, 4.1.16, that there are 19, I quote 19, sets of statutory accounts that require to be laid in Parliament in accordance with the requirements of the law.  
515  
520

**Clerk:** Question 231. The Hon. R M Clinton.

**Hon. R M Clinton:** Can the Government advise when it expects the Principal Auditor’s report for the financial year ended 31st March 2019 to be tabled?  
525

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

**Hon. Chief Minister:** Madam Speaker, the Government will address all these matters in the context of the debate of the Motion set down by the Hon. Mr Clinton. *(Interjection)*

530 **Hon. Dr K Azopardi:** Madam Speaker, we struggle to understand how all of this is relevant to the motion that we have tabled, because the motion that we have tabled is in relation to the delays of the reports, together with a motion on the Public Accounts Committee.

These questions are tabled for specific answer and they deserve an answer. So, Madam Speaker, I am directing the issue to you, I think, because I consider it an issue on which there has been a specific set of questions and the answer given is simply avoiding giving us an answer on these issues through a reply that has no substance.

**Madam Speaker:** You are directing the matter to me before the Hon. the Chief Minister rises. My view, in the short experience I have had, is that whilst the Speaker is responsible for questions, the Speaker is not responsible for the answers given by Government Ministers. That is a matter for them.

To my understanding, if it is your view that a Minister has refused to answer a question, then the same question may be tabled three months down the line and then it would be a matter for me to decide whether that question has been taken before and refused. That is my understanding. If the Hon. the Chief Minister wants to comment, I will let you comment afterwards.

**Hon. Chief Minister:** Madam Speaker, I am grateful.

The hon. Gentleman says that the Motion that they have tabled does not deal with these issues and therefore how can I refer these matters to the debate on the Motion? Well, the Motion that they have tabled may not be the Motion that this House votes upon. The Motion that they have tabled may be amended, and the amendment may be making the Motion wider and the Government's view is that these issues, which the hon. Gentleman wants to ventilate, are ones which are properly ventilated in the context of that Motion and which we will address.

In other words, I have a note of all of these questions in my draft of the speech I will give in the context of the Motion. I will address all of these issues in the context of the Motion when I go through all of the issues that the Motion raises for the Government as drafted, and indeed as it is likely to be amended by the Government.

So there is no question, Madam Speaker, of us seeking to avoid answering these questions. I have registered the questions that hon. Members have asked and I am going to deal with each of them in the context of my reply, such as it may be in the context of when I reply, to the hon. mover and to others, depending on when my turn comes.

**Hon. Dr K Azopardi:** Madam Speaker, first of all, of course, we accept your ruling, so I will ask a supplementary, if I may, on this issue.

Madam Speaker, the Hon. the Chief Minister says he is not going to answer these questions because he is going to address it in the Motion and he says, 'Well, you cannot assume that the Motion that has been tabled is the one that is going to be voted on.' But there precisely lies the rub. There is no Motion on which he could hinge the answers which he is going to give on the substance to these questions.

It is a prospective thing that he is going to propose on amendment, presumably in the normal device, where he is going to seek to amend our motion and then insert his wording in respect of which he will then hook his reliance on answering on these things. And in any event, what will happen at that stage is, of course, we will be deprived of the opportunity to ask supplementary questions on these issues, a long list of issues, (*Interjection*) because it is not going to be an opportunity for a question and answer session.

Is it not simply the case that the Government, once again, is obfuscating and avoiding questions on scrutiny and accountability?

**Hon. Chief Minister:** Not at all, Madam Speaker, although I do realise that what he does is when he raises the tone, he is going to later go to the video, extract it and put it on his Insta-feed with some words about 'Azopardi once again seeks to make scrutiny of the Government'. That is

what we are witnessing, Madam Speaker. We are almost witnessing Parliament by TikTok which I suppose, to a very great extent, Madam Speaker, is for me to salute the hon. Gentleman in his embracing of modern technology.

585 Madam Speaker, if the hon. Gentleman cares to look at the questions and look at the Motion as actually drafted, much of it already fits in directly to the issues that hon. Members are raising, calling on the Government to assist the Principal Auditor in completing his work in the public accounts. Well, that goes directly (*Interjection*) to the questions that the hon. Gentleman is asking about when statutory accounts are going to be filed, when contracts are going to be provided for,  
590 how we are going to ensure that we help the Principal Auditor.

The hon. Gentleman does not have to wait for me to amend the Motion to see where all of these things fit in the context of the Motion. There is a rule that we should not pre-empt the debates that are coming, that we should not pre-empt things that are coming on the Order Paper. And the hon. Gentleman knows that all of these issues in this Question Time, when they lead to  
595 supplementaries are going to take us very close to offending the rule that Question Time should not be a pretext for a debate.

The Hon. Mr Clinton has, in my view, Madam Speaker, done the right thing. He has put a Motion down. We have been urging him for many years to put motions down, instead of trying to use Question Time as a pretext for a debate. Now we are going to have a debate and in that debate  
600 we will address all of these issues.

It is not, Madam Speaker, that I have decided I am not going to answer these questions, it is that I have given him the answer that we are going to address all of these questions in the context of the Motion. And there, Madam Speaker, although they might be deprived of the opportunity to ask supplementaries, I will give information which (a) they will be able to reply to in their own  
605 speeches. Mr Clinton will speak last. And (b) will enable them to ask questions in the next session of the House, specifically about all of the things that I say, upon which they will then be able to also ask further supplementaries.

Far from not providing open, transparent, accountable Government we are giving them more. We are going to give them this information in the debate, they are going to be able to get up and answer without the stricture of having to ask a question to make a point, and that will enable  
610 them to try and squeeze the last pip out of the Motion on the Principal Auditor's report.

Madam Speaker, not only are we answering once, we are going to answer more than once also in the Motion and then he will be able to dramatically raise the tone more than once and extract that bit and put it on TikTok too.  
615

**Hon. Dr K Azopardi:** As someone who is not on TikTok, but I will take lessons from him on social media because he is a master. How can he stand there with a serious face – although there was a smirk coming towards the tail end of his contribution – because I suspect that not even he was really believing what was coming out from his mouth.  
620

How can he really expect the people of Gibraltar, who have witnessed in front of them, the Principal Auditors report in its glorious technical colour over 900-pages that shows obfuscation of information of normal requests from the Principal Auditor to officials and to Ministries. How can he expect them to believe that he is opening himself up to scrutiny when, at the first opportunity in this House, at the first opportunity after the Principal Auditor's report, when my hon. Colleague  
625 has put questions in the House, his first tactic has been to avoid them and to put them and launch them into the Motion.

Why is he so scared? Why is his Government so scared about opening itself up to scrutiny? And I said that out loud.

**Hon. Chief Minister:** Madam Speaker, we are not scared. We are delighted to face this scrutiny because this is the scrutiny that demonstrates, Madam Speaker, that we are doing things right. That is to say, Madam Speaker, there is now a Principal Auditor who is doing the job of finding the needles in the haystack. There is a Principal Auditor who, in the years in which Gibraltar featured  
630



635 its highest revenue ever and its biggest surpluses ever, is still rightly identifying where we could have done better. That is absolutely the role of the Principal Auditor.

What the Principal Auditor's report is not, Madam Speaker, is an opportunity for one political party to try and make hay over the other, because that is to play politics. What Question Time is not, Madam Speaker, is a pretext for a debate. What the Principal Auditor's report should lead to, as Mr Clinton has rightly done, is a debate about the issues that are raised.

640 What it is wrong to do, Madam Speaker, is to try and pretend that these are questions, when in fact they are pretexts for a debate; and what it is certainly wrong to try and do, Madam Speaker, is to pretend that we are not answering the question, when all I have told him is that I will give him the answers to these questions and address them in the context of the debate, so that they are dealt with in their proper context.

645 Why is it, Madam Speaker, that they do not want to deal with this in their proper context? Why is it that they want to pretend to extract these issues and then to pretend that they are trying to advance the cause of scrutiny when all they are trying to do is advance the cause of their own spin? (*Interjection by Hon. Dr Azopardi*)

650 **Madam Speaker:** I am going to stop it there with a proviso, because I do not want this to become a debate. You have had your answer. If the Hon. Minister is of the view, as I say again, that he has not had an answer and that the Hon. the Chief Minister (*Interjection*) the hon. Member, I beg your pardon. This Hon. preface still has me struggling.

655 If the hon. Member remains of the view that the Hon. the Chief Minister has not answered his question, then he is free to ask the same question in three-months-time and I will take a view on that. At the end of the day, an answer to the question is an answer to the question that is given by the Hon. Chief Minister and it is not either for yourself or myself to insist on a particular answer.

So, to that end the answer you have is the answer you have, and I am going to stop it there otherwise this will become a debate.

660 Next question.

#### Q232/2024

#### Gibraltar Air Terminal Limited – Latest audited management accounts

**Clerk:** Question 232. The Hon. R M Clinton.

665 **Hon. R M Clinton:** Well, Madam Speaker, can the Government provide the latest audited or management accounts for Gibraltar Air Terminal Limited?

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

670 **Chief Minister (Hon. F R Picardo):** Madam Speaker, as I committed to do on the glorious morning of 13th October 2023, the accounts of the Government-owned companies, including Gibraltar Air Terminal Limited, will be made available with effect of 1st April 2024.

675 **Hon. R M Clinton:** Madam Speaker, Gibraltar Air Terminal Limited has been receiving an amount of £13 million a year, it would appear. His commitment to, I understand it, was the audited accounts and put them on some website. Now, whether those are going to be the full audited accounts or something else, I do not know, but surely the Government has got management accounts.

So can the Government, at least, give us the management accounts for Gibraltar Air Terminal Limited?

680 **Hon. Chief Minister:** Madam Speaker, I am very grateful for the hon. Member's candour. I think that what he has wanted all the time that he has been asking for the accounts are the management accounts and he will probably want the cash book, too. The answer to that is going to continue to be 'no', but as from 1st April, a date that I suggest to him he should keep free, he will have available all of these accounts.

685 **Hon. R M Clinton:** Madam Speaker, I just have two further supplementaries. When he says 'the accounts', can he confirm to this House that they will be (a) audited; and (b) the full accounts and not abbreviated accounts? And then secondly, Madam Speaker, what exactly is Air Terminal Limited doing with £13 million a year?

690 **Hon. Chief Minister:** Well, Madam Speaker, we will publish the accounts of the companies. I am not an accountant, so in the same way as he is not a lawyer, and I accept that we all use terms of art, I am committed to the publication of the accounts. What that means in detail I would have to take advice on.

695 In terms of what Gibraltar Air Terminal Limited is doing with £13 million a year, first of all, he will see it from the accounts. I am not going to be drawn any further. Second, it is a company they created, it is a company that trades because they created it to trade, it is doing the trading that they, in Government, created it to trade in at the cost and loss that they created it to trade and lose in.

700 **Hon. R M Clinton:** Madam Speaker, I can see I am going to have no joy getting the accounts. But when he talks about £13 million loss, is he actually saying that Air Terminal is incurring a £13 million loss a year? Or is that £13 million being used to cover capital expenses and/or loan repayments?

705 **Hon. Chief Minister:** Madam Speaker, I am not going to be drawn on further detail of the accounts because I have already said that the accounts will be published on 1st April.

#### Q233/2024

#### Gibraltar Investment Holdings Limited – Breakdown by financial years

**Madam Speaker:** Next question.

710 **Clerk:** Question 233. The Hon. R M Clinton.

**Hon. R M Clinton:** Madam Speaker, can the Government provide a breakdown by the following financial years of how Gibraltar Investment Holdings Limited has apportioned the company contribution received from Government being 2018-19, 2019-21 and 2021-22?

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

**Chief Minister (Hon. F R Picardo):** Yes, Madam Speaker, I now hand over a schedule with the information requested. These figures show that the monies voted go to fund the trading companies they created when in Government and the losses for which they did not provide.

720

**ANSWER TO QUESTION 233**

**2018/2019**

Gibraltar Co-Ownership Company Limited	£500.00
Westside Two Co-Ownership Company Limited	£500.00
Brympton Co-Ownership Company Limited	£500.00
Kings Bastion Leisure Centre Company Limited	£2,000,891.93
Gibraltar Bus Company Limited	£4,343,081.97
Gibraltar Car Parks Limited	£6,539,540.24
Gibraltar Air Terminal Limited	£12,114,985.86

**2019/2021 (Double Year)**

Gibraltar Co-Ownership Company Limited	£1,000.00
Westside Two Co-Ownership Company Limited	£1,000.00
Brympton Co-Ownership Company Limited	£1,000.00
Kings Bastion Leisure Centre Company Limited	£5,314,672.34
Gibraltar Bus Company Limited	£6,904,748.38
Gibraltar Car Parks Limited	£27,488,870.31
Gibraltar Air Terminal Limited	£20,288,708.97

725

**2021/22**

Kings Bastion Leisure Centre Company Limited	£2,090,207.18
Gibraltar Bus Company Limited	£5,069,504.74
Gibraltar Car Parks Limited	£7,666,178.14
Gibraltar Air Terminal Limited	£15,174,109.94

In the year 2021/2022 the contribution did not meet the funding required by the companies and additional funding was provided by Gibraltar Investment (Holdings) Limited to the sum of £1,230,572.58, as follows:

730

**Additional Funding 2021/22**

Kings Bastion Leisure Centre Company Limited	£85,738.39
Gibraltar Bus Company Limited	£207,946.45
Gibraltar Car Parks Limited	£314,459.62
Gibraltar Air Terminal Limited	£622,428.12

**Madam Speaker:** I will move on to the next question to give you time to consider the schedule.

**Q234-241/2024**  
**Pensions Act Amendment –**  
**Actuarial advice sought**

**Clerk:** Question 234. The Hon. R M Clinton.

735 **Hon. R M Clinton:** Madam Speaker, can the Government advise if it has sought any actuarial advice when it amended the Pensions Act to allow 100% commutation of Government unfunded pensions?

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

740

**Chief Minister (Hon. F R Picardo):** Madam Speaker, I will answer with 235 to 241.

**Clerk:** Question 235. The Hon. R M Clinton.

745 **Hon. R M Clinton:** Sorry, Madam Speaker, does the Government accept that its method of commuting unfunded pension schemes with Credit Finance Company Limited has resulted in a loss to the public purse of £6 million due to the unexpected death of pensioners?

**Clerk:** Question 236. The Hon. R M Clinton.

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**Hon. R M Clinton:** Can the Government provide a copy of the agreements entered into with Credit Finance Company Limited and any side letters in respect of the financing of early exit scheme payments?

755 **Clerk:** Question 237. The Hon. R M Clinton.

**Hon. R M Clinton:** Can the Government provide a split between amounts due under commutation of pensions and early exit scheme financing for the following amounts and years, as extracted from the notes to the audited financial statements of Credit Finance Company Limited:

2012 £8,033,870  
2013 £19,706,892  
2014 £33,046,612  
2015 £55,814,422  
2016 £69,609,896  
2017 £84,709,559  
2018 £103,330,338  
2019 £121,360,959  
2020 £134,633,625  
2021 £143,085,584, and  
2022 £150,551,607

760 **Clerk:** Question 238. The Hon. R M Clinton.

**Hon. R M Clinton:** Can the Government advise for each of 31st December 2022, 2021, 2020, 2019, 2018, 2017, 2016, 2015, 2014, 2013 and 2012 how many individuals had their Early Exit Scheme financed with Credit Finance Company Limited in that particular year?

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**Clerk:** Question 239. The Hon. R M Clinton.

770 **Hon. R M Clinton:** Can the Government advise for each of 31st December 2022, 2021, 2019, 2018, 2017, 2016, 2015, 2014, 2013 and 2012 how many pensioners had their pensions commuted with Credit Finance Company Limited in that particular year?

**Clerk:** Question 240. The Hon. R M Clinton.

775 **Hon. R M Clinton:** Can the Government provide a copy of the agreement entered into with Credit Finance Limited dated 30th June 2023, but with an effective date of 1st April 2012, in respect of the commutation of pensions, together with any side letters such as that dated 11th October 2023 revising the waiving of debts?

780 **Clerk:** Question 241. The Hon. R M Clinton.

**Hon. R M Clinton:** Can the Government advise how many Public Servants there are in the old final salary scheme who have not yet retired and has the Government estimated the funding required for full commutation of all remaining participants?

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

**Hon. Chief Minister:** Madam Speaker, the Government did not seek specific actuarial advice on this matter, but hon. Members will recall that the issue of commutations was a policy commitment of the GSLP Liberals in 2011 and was extensively debated at the time. Moreover, there is no loss to the public purse due to the unexpected death of pensioners.

The Government will not provide copies of agreements, signed letters, etc. related to Credit Finance Company Limited, nor splits of sums paid for commutations or early exit packages as that would, in effect, amount to giving the House the management accounts of that company or its cash book.

795 The number of individuals who have had their early exit schemes financed with Credit Finance Company Limited can be confirmed and is as follows. In 2012 zero; in 2013 one; in 2014 22; in 2015 15; in 2016 15; in 2017 19; in 2018 31; in 2019 21; in 2020 16; in 2021 16; and in 2022 14.

800 The number of pensioners who had their pensions commuted with Credit Finance Company Limited for each of the years ending 31st December 2012 to 2022 is as follows: in 2012 65; in 2013 89; in 2014 96; in 2015 122; in 2016 108; in 2017 88; in 2018 118; in 2019 123; in 2020 91; in 2021 83 and in 2022 89.

There are 1,349 actively employed public servants in the old final salary scheme. The Government annually estimates the final commutation costs of the eligible retirees for the following financial year.

805 **Hon. R M Clinton:** A balanced view. I will come back to 233 once I have dealt with this.

Madam Speaker, in answer to 235 the Government has advised the House that he took no actuarial advice on commutation of pensions, but it was a policy decision and the Chief Minister does not accept there is a £6 million loss.

810 But I presume that the Chief Minister has had sight of the audited accounts of Credit Finance Limited and in fact on page 1 on the Director's Report it talks about the agreements entered into with the Government; and then, as a part of this agreement, the company agreed to waive certain debts due from the Government.

815 The amount waived at the date of signing was £5,779,390. This amount was revised and agreed by both parties on 11th October 2023 to £6,037,102. The amount waived relates to debts that remained unpaid as at 30th June 2023 by the Government in respect of pensioners who had passed away since the effective date of this agreement, up to and including 30th June 2023.

So, Madam Speaker, does the Government still maintain there has not been a loss of £6 million?

820 **Hon. Sir J J Bossano:** Madam Speaker, when the system that provides these payments to civil  
servants – which is an improvement on what was there before which was limited to 25% - the  
exercise that was done on the incidence of death from people that had retired showed, quite  
clearly, that the profits of the longer-living pensioners was more than sufficient to cover the  
825 percentage that would die at an earlier age; and therefore the notional £6 million that would not  
have been paid if it had been a pension instead of a gratuity which, of course, has been to the  
benefit of the widows and therefore solved the problems of the disappearance of WOPS because  
now the reason why many civil servants welcomed this was because they were able to get a  
revenue stream by reinvesting the money predominantly in the savings bank and if they  
830 unfortunately passed away earlier than is normal nowadays, then the widow had that pot of  
money.

So with an average survival rate of 18 years there was enough being gained in the savings on  
the pensions, to cover the potential of the numbers that historically had been passing away earlier  
than those 18 years. So, on the assumption that no civil servant would survive 18 years on a  
pension it balanced; and therefore since all the demographic markers that we have is that in fact  
835 people are living longer, of which I am an example, (*Banging on desk*) it means that many civil  
servants retire at 60 and some retire at 55, as they can.

So 78 now, is not an excessively old age and therefore the position of that notional money was  
something that was introduced retrospectively because the advice that was given – I am not  
qualified to pass judgement on the accuracy of that advice – was that in order to avoid having to  
840 get provisions for potential liabilities, actuarially it was necessary to have – this was what the  
auditors suggested – it was necessary to have a commitment from the Government that Credit  
Finance would be reimbursed for the fact that the stream income of the premature death of the  
pensioners had happened.

So if some civil servant retired and within a couple of years he passed away then of course the  
845 widow benefited, but the company would have had the loss from the 16 remaining years that the  
person had not lived. Right? In fact, the reality is that I think the first one that is going to be going  
past the 18th year is probably due in the next 12 months and there are many more in the pipeline  
that will have been passing the 18th year as we go into the future. But already at this level we  
have a situation where, for those who passed away there has been a £6 million benefit to the  
850 widows which has been a good thing.

The Government has not had to pay this money because it was waived because the money that  
was made as profit on the receipt of the pensions – which go up every year – so we are getting a  
return on the pensions whereas we have paid a fixed sum, was more than sufficient to cover that  
£6 million and produce a profit for the company. Once the stream of payments produces enough  
855 money to cover all the exposures, the amount that the consolidated fund pays to Credit Finance  
comes to an end.

So in effect, the scheme has proved more successful than we really anticipated because we  
have had three very positive effects. We have had Credit Finance having a profitable return on its  
loans, that is to say the loans that are serviced which are received from the Savings Bank, a service  
860 from the profits of this stream of pension payments, and there is a surplus on which the company  
pays tax to the Government.

So the Government gains the tax on that surplus, which is a profit of Credit Finance, that is  
after having waived the £6 million; and in addition as we go into the future the liability to existing  
pensioners will be coming to an end, not because they have passed away but because we have  
865 gone beyond the point that it is necessary for the recovery of the money that has been invested  
in the provision of the lump sums taken into account the potential death rate of the pensioners.

I think this was made clear at the very early onset of the 2011 Government when I think this  
question was raised from a Member on that side of the House – and in fact I think it was Sir Peter  
Caruana who said, 'Well, look, the only risk is if there was a sudden increase in deaths or of course  
870 if we had a virus that only affected civil servants then we would have a problem.' But such a virus  
is not likely to exist.

875 So I think what we have experienced to date with the scheme – and I hope that what I have told the hon. Members will make them change their mind about their commitment to get rid of it – actually has been a win-win situation for all the three parties, the Government, the company and the Savings Bank, and of course the fact that for those who pass away early, there is at least the comfort of an amount of money that goes to the widow and therefore that is an additional benefit, the £6 million.

880 **Hon. R M Clinton:** Madam Speaker, I am grateful to the Father of the House for his comprehensive explanation.

885 But, Madam Speaker, does he not accept that writing off £6 million is effectively 60% of his reserves? He had reserves of £10 million at the end of December 2022 and this was the post-balance sheet event as he knows, in June 2023, and he has effectively had to write off 60% of his profits. Is this sustainable going ahead? Does he have any financial projections in terms of his experience to date in terms of how this is panning out and how he likely thinks it may look in the future?

890 **Hon. Sir J J Bossano:** I have just explained to him, Madam Speaker, that in fact the idea that there should be a commitment to pay, which creates the £6 million, is something that was introduced because that was a recommendation from the auditors of the company. As far as I am concerned, there should not have been and it would only mean that the return that we are getting from the consolidated fund charges ... The money that is going as payment for pensions is going to Credit Finance, right, and that money would have produced £6 million more in profit if that amount had not been waived.

895 Well, look, £6 million more in profit would be less money in the consolidated fund and more money in Credit Finance. In other questions, he seems to be concerned that there should be more money in the consolidated fund and less money in other entities, but at the end of the day this is not money that goes to third parties.

900 If there was £6 million less in the consolidated fund because consolidated fund charges went up by £6 million and the money was paid, all that Credit Finance would have to do was give a dividend of £6 million back to the Government. There is nothing to be concerned about when the two parties are both in the public sector and it is just a mechanism that I devised, originally, which in effect, as I have explained in one of my budget contributions, was something that was prompted by the fact that just before we came in, the GSD Government had been experimenting with using the Savings Bank to provide annuities and they had actually set up the structure to do so. Then they abandoned the idea and I was in the Opposition when I was told about this proposal that they were looking at and then I thought well, look, if it is possible to do an annuity, which is where somebody gives up a lump sum and gets a revenue stream, then it should be possible to do a reverse annuity, where somebody gives the revenue stream and gets rewarded with a lump sum.

910 When I looked at the figures, it was clear that the risk which could only happen if the incidence of death was very high in the civil service, or if in fact the life expectancy was declining but in a situation where it was already the case when we started that the percentage of people who did not reach 78 was quite small, and every year more people will reach 78, and by the time you reach 78 the thing becomes totally self-financing. There is no exposure at all.

915 So it is a scheme that will become more profitable with the passage of time, to the extent that instead of what would have happened in the absence of this scheme, which is that if we all get to live to 90, then the consolidated fund charges would keep on increasing. It was what led the previous administration to having to take, I think, the step of bringing to an end the final salary pension, as has happened in other countries, has been frankly the fact that when these pensions were originally created people were living to more than 70 – males in particular, living to more than 70 was fairly rare.

920 So the reality is that a scheme that was sustainable when people live to 70, is not necessarily sustainable if people live to 90 because that means you are paying 20 years more. The scheme

925 that we have done actually reduces the cost of the consolidated fund as well because by the time  
that the person has reached 78 – if he is retiring at 60, or 73 if he is retiring at 55 – the payment  
of the pension is no longer necessary from the consolidated fund because Credit Finance will have  
recovered from the stream of the income. The income is part interest and part repayment of the  
capital and the pension is repaid in full in an average age of 18 years, and therefore you need to  
930 compensate for those who do not live to be 78 by having the people who live beyond 78.  
Everything points to that in Gibraltar, like in the rest of Europe, that there is going to be many  
more people living beyond 78 than there have been in the past.

That will mean that there will be a situation where, at some point in time the curve that we  
have at the moment is still going up of the annual increases, I think it is now about £30-odd million  
935 in the consolidated fund for the payment of pensions, that that curve will then start dropping  
quite steeply and whoever is in Government at that time will be the direct beneficiary of the  
scheme we have put in place.

**Hon. R M Clinton:** Madam Speaker, I am grateful to the Hon. Minister.

940 Can I ask him, which is related in fact to all the questions, would he agree that the nature of  
the scheme that he has put together is effectively a financing scheme, as he described, a reverse  
annuity? You get a lump sum in return for a stream of payments, but on which the Government is  
effectively paying interest. So would he agree that the £150 million that is showing as outstanding,  
or the debt according to the accounts of Credit Finance Limited, is in fact a debt of the Government  
to the amount of £150 million, at least as at 31st December 2022?

945

**Hon. Sir J J Bossano:** No, Madam, because the debt is incurred by the pensioner who is given  
the money. The money is not given to the Government. (*Interjection*) So, when Sir Peter Caruana  
used the scheme on his retirement he gave up his pension and in effect he borrowed the money  
from Credit Finance and the Government is using his pension to repay the money that he  
950 borrowed and to service the interest.

So how can that be a loan to the Government? The money did not go to the Government. The  
money went to the individual that gave up the revenue. The Government continues to pay that  
revenue but will not pay it in respect of Sir Peter Caruana because, I hope he will have a very long  
life, and then the payments will stop. He will have had his money and whoever is in Government  
955 then will have a lower burden on the consolidated fund charges. But if the hon. Member wants to  
call everything a debt of the Government even if the Government is servicing from a payment due  
to an individual, a debt incurred by that individual, which is what is happening.

**Hon. R M Clinton:** However, Madam Speaker, the Government is causing to be charged to the  
960 consolidated fund interest. The Government is paying interest to Credit Finance. Does the Minister  
accept that? And if it is paying interest to Credit Finance, how can it be paying interest on a loan  
that it says it does not have?

**Hon. Sir J J Bossano:** We would require the person that took the loan, to pay. So the individual  
965 that was given the money and has the money to spend, which is not money that has been given  
to the Government, if it was a loan to the Government, the individual that has received that loan  
has signed his pension to Credit Finance.

So Credit Finance now receives the pension and the pensioner says, 'Instead of me repaying  
you the money and instead of me paying you interest, take my pension and out of that pension  
970 take part of it as the interest that I would have to pay you and the balance as the repayment of  
the capital sum.' That rate of interest has been calculated so that it will achieve the full repayment  
of the loan to the individual of the lump sum in 18 years. So in 18 years, if there was no pension  
and if we gave the loan to an individual simply on his own credit rating and he had no revenue  
from the Government that would be the same payment that would be made.



975 If somebody takes a loan from Credit Finance and says to Credit Finance, look, as I can in some cases of hardship in the public service where they are our employees, we can make a loan available to somebody and that person would then be required to agree for the interest and an amount over and above the interest, for the gradual repayment of the loan to be deducted from his salary.

980 So you can do the same mechanism to give somebody a loan and that person will then take a pay cut and the pay cut will be the amount that is paid to Credit Finance in respect of the loan and an element to repay the capital so that there will be, as is always the case, that originally it will be nearly all interest and then gradually the capital side keeps on growing and the interest starts coming down. That is how all the loans that are loans plus capital repayment work, and the hon. Member knows that. Well, when it happens in a salary he could not possibly think that is  
985 somebody lending their money to the Government. It is the same mechanism; instead of being the salary, it is a pension.

**Hon. R M Clinton:** Madam Speaker, would the Minister be willing to provide the House with a *pro-forma* agreement so we can have a look through it for ourselves?  
990

**Hon. Sir J J Bossano:** I will not commit myself.

**Hon. R M Clinton:** Moving on to Question 237. I think the answer to that will be given those splits, but given that the Government must have the same information as its side as Credit Finance  
995 will have, does the Government not have the information as to the splits as I have requested?

**Hon. Sir J J Bossano:** The numbers being given is on the number of individuals. I do not think the figures are readily available of what each individual got. It is related to their service and their age.  
1000

**Hon. R M Clinton:** Sorry, Madam Speaker, I think the Hon. Minister has misunderstood me. I was referring to Question 237 in terms of the amounts showing outstanding in terms of how much had been paid over in financing schemes for commutation of pensions, early exit schemes; and as I was saying if this is on the Credit Finance side, it must be reflected in the Government's  
1005 books or there must be a record on the Government's side in terms of the level of financing at the end of each period.

**Hon. Sir J J Bossano:** If the hon. Member wants any further clarification, I am quite happy to look at anything with the information and the statistics before me, which I have not got.  
1010

**Hon. R M Clinton:** I am grateful to the Minister if he would do that.

Finally, Madam Speaker, if I go to Question 240, in terms of how many people there may be still within – sorry I am actually looking at 241 – are still in the old final salary scheme? I think the number I was quoted was about 1,349; it could be wrong.

1015 Does the Minister have any sense of the funding costs that might represent? Because my concern, Madam Speaker, is given that there is £150 million already that has been financed, how much more in terms of actual money would be required to finance these remaining members of the old scheme? Even if it is just an assumption, a worst case assumption of 100% commutation, because if it is anything like the £150 million we have already got, is he concerned that Credit  
1020 Finance may not be able to find the money to commute these prospective pensioners?

**Hon. Sir J J Bossano:** Madam Speaker, this is a very good investment for the Savings Bank and it is a very good scheme for the public finances of the Government. Because I can tell the hon. Member that it is very easy to see how, in the absence of the scheme, the cost of the pension  
1025 element of the consolidated fund charges would grow to a higher level – and that was the concern that made them end the final salary pension scheme.

1030 So this deals with reducing that. The more there is of this, the bigger the benefit to the consolidated fund and the bigger the returns to the Savings Bank because this is a liability that exists already. The Government has got, today, a liability to pay final salary pensions to 1,000 people.

1035 If this scheme was not there, the cost of that liability to that 1,000 people would be inescapable. What this does is it allows that liability – which is not increased because of the scheme it stays exactly the same way – to be funded in a way that will produce an earlier reduction in the level and a return on the investment in providing capital sums, which will service the income of the Savings Bank and allows the Savings Bank to give better interest to depositors.

1040 So there is nothing here that you can say, ‘Well, look, that is a risk and it is a bad thing.’ There is no risk, the risk is already there. If you remove this tomorrow the amount that the public purse will face is already there in the remaining entitlement to a final salary pension. So that has to be the starting point. If you take Credit Finance out and you take out the commutation and you take out what we put, you are left with something that is a bigger liability and will cost money.

1045 So by definition, if this produces a lower liability and in addition a stream of money that adds to the profits of the Savings Bank, gives more money to pensioners, produces a pot of money for surviving widows. I know that the hon. Member opposite is wanting to find something that is wrong with it, something that is wrong, but I am sorry to have to disappoint him. All of it is good. There is nothing bad.

**Hon. R M Clinton:** Madam Speaker, I am just asking questions.

1050 But, Madam Speaker, he has not actually answered my question. My question was really about the future funding costs of these 1,000-odd pensioners. Does he have a handle in terms of the capital sum that might be required if all these 1,000 pensioners commuted their pensions 100%, how much more money would Credit Finance need to provide those commutations?

1055 **Madam Speaker:** I think that is a hypothetical question because you are answering: if *this* happened, what would happen?

**Hon. R M Clinton:** No, Madam Speaker, it is an actual question. As the Minister said the Government has an actual liability, so he knows exactly how many people we are talking about. It is not hypothetical at all.

1060 **Madam Speaker:** What is hypothetical is if all the 1,000 people died at once, then what would happen? That is a hypothetical question. I am disallowing it as a hypothetical question.

1065 **Hon. R M Clinton:** Madam Speaker, with respect, I did not say everybody dies at once. I said if everybody commutes at once.

**Madam Speaker:** The premise is still the same. It is a hypothetical question. Well, Member, have another supplementary.

1070 **Hon. R M Clinton:** Thank you, Madam Speaker.

Let me rephrase the question: in terms of these - let's round it down 1,000 pensioners, can the Minister put a handle in terms of what the potential long-term liability would be of these 1,000 pensioners?

1075 **Hon. Chief Minister:** Madam Speaker, this is a worse hypothesis than the one that you were addressing: 1,349 people who are still in the final salary scheme does not mean 1,349 people who will be entitled to a pension. Some of them will have entered Government service just before the final salary pension was stopped.

1080 Until those people have done 33⅓, they are not entitled to the final salary pension and so they might therefore not be entitled to commute. So every aspect of the hon. Gentleman's question is based on a hypothesis. It is impossible to extrapolate forward other than on further hypothesis: *if* the 1,349 do 33⅓, *if* they choose to commute, what is the liability? The answer to which would be it is impossible to say because each of them would then be – if they were to do that, hypothetically at different levels of entitlement.

1085 You might have somebody who spends all their life as an AA and an A0 and ends at the top scale of A0; or you might have 500 of those; or you might have somebody who ends as SO; or you might have 20 of those. It is impossible to do the calculation based on the basis that the hon. Gentleman has set which is, in any event, for the right reason that you have set out, a question based on a hypothesis.

1090 **Madam Speaker:** Next question.

Sorry, before we move on to question – I think 242 – is the Hon. Mr R M Clinton in a position to ask any supplementaries on 233? (*Interjection*) All right, then we will move on to the next question.

#### Q242/2024

#### Sir Joshua Hassan House – Plans

1095 **Clerk:** Question 242. The Hon. D J Bossino.

**Hon. D J Bossino:** What plans does the Government have in respect of Sir Joshua Hassan House?

1100 **Clerk:** Answer, the Hon. the Chief Minister.

**Chief Minister (Hon. F R Picardo):** Madam Speaker, Sir Joshua Hassan House will be vacated with staff relocated to new offices. The Government will make an announcement regarding its plans for this building in due course.

1105

**Hon. D J Bossino:** I take it that is the CSRO that lives there? Is he able to provide the House with an indication as to when that is likely to happen? In other words, when the move is likely to happen?

1110 **Hon. Chief Minister:** Madam Speaker, it is certainly on the cards to happen during the course of this calendar year. I do not from memory want to commit to a date, but I think refurbishment of new places is already ongoing, I think. So, I hesitate to say it is imminent, I want it to be imminent, but certainly in this calendar year.

1115 **Hon. D J Bossino:** And as to the destination, the new destination, is he able to provide further information?

**Hon. Chief Minister:** As to the new destination, did he say. Right, I see. Yes, I understand it is Leanse Place.

1120

**Hon. D J Bossino:** Is that Government owned or not? No, it is not. No, I think I have the answer, but I will ask him anyway. That is not Government owned, that is privately owned?

**Hon. Chief Minister:** Yes, that is privately owned.

1125 **Madam Speaker:** Whilst the hon. Member mops up, (*Laughter*) is there any other supplementaries?

1130 **Hon. Dr K Azopardi:** Sorry can I just ask, my hon. Colleague to my right, asked about, I mean that was the CSRO, but when the Chief Minister in his original answer talks about the relocation of the offices at Sir Joshua Hassan House, does he mean the whole building, the whole length of the building? That is much presumably occupied by other offices, not just the CSRO, is it?

**Hon. Chief Minister:** Madam Speaker, from memory, I think it is now just the CSRO.

1135 **Hon. D J Bossino:** Once the area has been mopped up ...  
Can I ask the hon. Member what the intentions are in respect of the soon-to-be-vacated property?

1140 **Hon. Chief Minister:** Madam Speaker, I refer the hon. Gentleman to the answer I gave a few moments ago.

**Hon. D J Bossino:** I did not quite catch that.

1145 **Madam Speaker:** The hon. Member is multi-tasking at the moment. (*Laughter*)

**Hon. D J Bossino:** That is an impossibility for this particular gender.

**Madam Speaker:** I am not going to comment on that. (*Laughter*)

1150 **Hon. D J Bossino:** But I am not sure, he said that the intention is to move the property – sorry the current inhabitants of Sir Joshua Hassan’s House out – but does he have information as to what the Government then intends to do once it is vacated, in relation to that building? What are the intentions in relation to the soon-to-be-vacated Sir Joshua Hassan House?

1155 **Hon. Chief Minister:** Madam Speaker, my first answer, before he spilt his drink, was that the Government will make an announcement regarding the plans for this building in due course.

**Madam Speaker:** Next question.

**Q243-244/2024**  
**Hassan Centenary Terraces –**  
**Prevention of spraying cements**

1160 **Clerk:** Question 243, the Hon. D J Bossino.

**Hon. D J Bossino:** Are measures being put in place to prevent the further spraying of cements during the construction of Hassan Centenary Terraces?

1165 **Clerk:** Answer, the Hon. the Chief Minister.

**Chief Minister (Hon. F R Picardo):** Madam Speaker, I would answer with 244.

**Clerk:** Question 244, the Hon. the Leader of the Opposition.

1170 **Hon. Dr K Azopardi:** Madam Speaker, are Government considering the implications of the recent fire at Hassan Centenary Terraces generally or in terms of the methodology of construction of high-rise buildings; legislation governing such issues, resources or fire safety and if so what issues is it considering, or what steps would it intend taking?

1175 **Clerk:** Answer, the Hon. the Chief Minister.

**Hon. Chief Minister:** Madam Speaker, the contractor has advised that they have revised their operational procedures to prevent an incident of this nature from happening again. The construction methodology adopted by the contractor building Hassan Centenary Terraces, is appropriate for high-rise buildings. Hassan Centenary Terraces are designed and constructed to the latest British Standards and Building Regulations, including those pertaining to fire safety, which were updated following the Grenfell Tower fire.

1180 From a general perspective, current fire safety requirements comply with legislation and the GFRS requires best industry practices to be adopted to make buildings safer. The GFRS works closely with the Government to look into having the best response support mechanisms in place, both human and equipment-wise to tackle these sorts of situations.

1185 **Hon. D J Bossino:** In relation to my question, if I may, Madam Speaker, and he may not have the answer with him, is he able to advise this House what measures have actually been put in place in order to prevent the spraying of cement from happening again?

1190 **Hon. Chief Minister:** Madam Speaker, I am told that the incident occurred due to human error when a check procedure failed to be carried out by the contractor's foreman. So that is what is now being redoubled down on to ensure it does not happen again.

1195 **Hon. Dr K Azopardi:** If I may turn to 244, noting what the Chief Minister says in respect of the answer to 244, I think a distinction needs to be drawn, would he agree?— in terms of the buildings that are under construction and buildings that are commissioned after construction. Indeed, that distinction was drawn by the Fire Service itself in reacting to the response it had to give to the fire at Hassan Centenary, the building that was under construction on the 23rd floor. It made that point that, of course, the infrastructure to deal with a fire with a building that has already been built and commissioned is easier in terms of, for example, the Fire Officer at that stage I think referred to if they needed to deploy water carriage in a building under construction. So a completely different exercise to one that is under construction.

1200 So dealing first with the issues of buildings under construction, what discussions is the Government having with the Fire Service or is it receiving any advice from the Fire Service as to the impact of resources, perhaps, in relation to issues such as that?

1205 **Hon. Chief Minister:** Madam Speaker, the Government has not had any representations made to it by the Fire Service that it does not have the resources to deal with the fires that may occur in a building during the course of construction.

1210 **Hon. Dr K Azopardi:** Well, I would perhaps invite the Chief Minister to consider that this: that the Chief Fire Officer in the context of the construction of Hassan Centenary Terraces, and not in relation to this incident in an interview that he gave with GBC on 12th April 2023, he made the point that the response team to deal with Grenfell which was 200 fire fighters and gave an example of the response to a fire in a restaurant in London involving 70 fire fighters, but said that in Gibraltar they only have a crew of 12 on duty at any given moment and discussed the issue of

resources although, of course, he made the point diplomatically, that you can always aspire to have more resources.

1220 But I just wonder, in the context of the subsequent incident, have there been any discussions with the Fire Service in respect of the possibility of greater resources? Do they need greater resources? Have they considered, in light of the fact that there are a number of high-rise buildings being built, that they need further resources to deal with incidents in those buildings?

1225 **Hon. Chief Minister:** Madam Speaker, I do not know how the hon. Gentleman has journeyed from the building whilst it is being built to actual buildings like Grenfell. Is it that he has moved on, I ask myself, from asking me a question about a building site and is now asking me a question about a finished tall building? Because he also told us in another interview that was given by the Chief Fire Officer, the Chief Fire Officer had said that once a building is finished and it has all the  
1230 infrastructure in it, it is easier to deal with a conflagration, should it occur in that building.

So, Madam Speaker, what I would say to him is that we have a very fluid discussion with the Fire Service in Gibraltar, and indeed with the Airport Fire Service in Gibraltar. Every year, at budget time, we look at all of the requests that they make and we together then determine what it is that should be voted for in any particular year.

1235 I would imagine it would have been the same in their time. As a result, I think, that we have now the best-resourced Fire Service we have ever had. I have not had any suggestion put to me by any Chief Fire Officer, or those who attend with him when we have our budget discussions, that there is any resource that they would highlight as a red flag that needs to be provided for which is not being provided for. Although no doubt, given what the hon. Gentleman has said  
1240 today, they might be encouraged in this spending round to ask for more.

**Hon. Dr K Azopardi:** I do not know if they would be encouraged by me, I mean they might just be encouraged to consider the position given the incident we have had in January, and it is not a journey that is difficult to explain that in the context of the discussions that I had. Because first of  
1245 all, I made the distinction that the Fire Service itself does make that distinction between buildings that have not been commissioned and are under construction and buildings that are commissioned and subsequently.

But the strong point that came through I would say two in these, first of all the comments made to the media is the amount of resources you require to deal with fires in high-rise buildings,  
1250 one; and secondly, the incident in January a few weeks ago provides an example. We were very lucky to emerge from it quickly because of the fast response of the excellent Fire Service that we have. But my question is: is there an ongoing investigation and in the context of that investigation is there going to be a reassessment of the position? That is really what I was asking.

1255 **Hon. Chief Minister:** Well, Madam Speaker, now the hon. Gentleman has moved further forward and is now asking me whether there is an investigation into the fire.

Madam Speaker, I imagine that the Chief Fire Officer and his team – who are absolutely excellent, as we said at the time in particular of the fire at Power’s Drive, but not just when there is a fire – and who do sterling work in the approach that they take not just to dealing with a fire,  
1260 but in particular to preventing fire – will be investigating what happened and if as a result of that there is a need for further resources, they will tell us. But they have not told us yet.

Madam Speaker, before we over-dramatise things, this was a fire in a skip. In other words, this was not a fire in the building, which was at large. This was a fire contained in a skip, although it was tremendously alarming because of the smoke that it created, but it was a fire in a skip on the  
1265 top floor and an open area of a building which arose during construction.

**Madam Speaker:** Next question.

**Q245-248/2024**  
**Red ID Card issuance –**  
**Calendar years 2016-2023**

**Clerk:** Question 245. The Hon. the Leader of the Opposition.

1270

**Hon. Dr K Azopardi:** Madam Speaker, how many applications for the first-time issue of a Red ID Card to an applicant were submitted in each of the calendar years between 2016 to 2023 inclusive, broken down by each calendar year?

1275

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

**Chief Minister (Hon. F R Picardo):** Madam Speaker, I will answer with 246 to 248.

**Clerk:** Question 246. The Hon. the Leader of the Opposition.

1280

**Hon. Dr K Azopardi:** Madam Speaker, how many applications for the first time issue of a Red ID Card to an applicant were granted in each of the calendar years between 2016 to 2023 inclusive, broken down by each calendar year?

1285

**Clerk:** Question 247. The Hon. the Leader of the Opposition.

**Hon. Dr K Azopardi:** How many applications for the first time issue of a Red ID Card to an applicant who had previously held a civilian registration card, were granted in each of the calendar years between 2016 to 2023 inclusive, broken down by each calendar year.

1290

**Clerk:** Question 248. The Hon. the Leader of the Opposition.

**Hon. Dr K Azopardi:** How many applications for the first time issue of a Red ID Card to an applicant who had previously held a civilian registration card was submitted in each of the calendar years between 2016 to 2023 inclusive, broken down by each calendar year?

1295

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

**Hon. Chief Minister:** Madam Speaker, I now hand over a schedule with the information that the hon. Gentleman has requested.

1300

**ANSWER TO QUESTION 248**

**Answer to Questions 245 and 246**

<b>YEAR</b>	<b>SUBMITTED</b>	<b>GRANTED</b>
2016	1086	1000
2017	840	830
2018	792	783
2019	672	665
2020	712	703
2021	1210	1190
2022	1561	1517
2023	1138	1111

**Answer to Questions 247 and 248**

YEAR	SUBMITTED	GRANTED
2016	370	356
2017	362	361
2018	318	316
2019	264	262
2020	310	308
2021	444	439
2022	802	790
2023	674	657

1305 **Madam Speaker:** Right, I propose we move on to the next question whilst the hon. Member has time to consider their schedule.

**Q249/2024  
Meddoc Limited –  
Principal Auditor’s report**

**Clerk:** Question 249. The Hon. the Leader of the Opposition.

1310 **Hon. Dr K Azopardi:** Madam Speaker, does the Government accept the criticisms made by the Principal Auditor in his 2016-17 and 2017 report in respect of the grant of three contracts totalling approximately £4.8 million to Meddoc Limited in relation to the provision of services at Bella Vista, Hillside and the John Mackintosh Wing?

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

1315 **Chief Minister (Hon. F R Picardo):** Madam Speaker, no, Madam. The Government will address all these matters, however, in the context of the debate of the Motion set down by the Hon. Mr Clinton.

1320 **Hon. Dr K Azopardi:** Madam Speaker, there are a number of criticisms made by the Principal Auditor that the procurement regulations were not followed, that there was no written record of all stages of the of the tenders, and indeed, no signed formal contracts. The agreements were legally binding, but no formal contracts exposed services and exposed people, exposed users.

1325 He concluded in his report that he was unable to conclude that the contracts were awarded to the best tender submission. In that context, does the Chief Minister not have any comment to make in respect of that central finding?

1330 **Hon. Chief Minister:** Madam, I have been asked whether I agree with the finding and I have said no. The hon. Gentleman cannot say that I did not answer his question. I actually said, I do not agree with the finding of the Auditor. So if he is asking me now, in a slightly lengthier written bit that he had prepared for himself as a supplementary, to repeat my view, I repeat my view and I will give him more details in the course of the debate that we are going to have on Monday in respect of the Motion that has been set down by Mr Clinton.

1335 I think the findings of the Auditor are wrong. I will explain why during the course of the debate. This is Question Time and it should not be a pretext for a debate.



**Hon. Dr K Azopardi:** Well, we know that the hon. Member does not want to debate this issue and indeed not provide information on it. We know – and by the way I had not written down my question, we know that all three contracts were awarded to Meddoc. We know, that in respect of one of them – at least one of them – they were not the highest bidder because it had been  
1340 awarded to a different company and then that offer was withdrawn.

Were they, Meddoc, the lowest bid on Bella Vista and the John Mackintosh Wing tenders?

**Hon. Chief Minister:** Madam Speaker, the hon. Gentleman cannot have it both ways. He cannot get up and say we know that the hon. Gentleman does not want to debate this issue when  
1345 I have told him, in fact, that I want to debate this issue during the course of the debate. But of course the difficulty that he has is that this is not the debate, this is Question Time; and as his own mouth has demonstrated, he wants a debate and I am happy to give him a debate.

What I am not happy to do, Madam Speaker, is to pretend that we are not in Parliament, that we are in court, that he is the cross-examiner and I am the sitting duck. I am very happy to have  
1350 the debate and to have all of these issues ventilated in the debate.

The fact is of course, Madam Speaker, he does not want a debate. He wants just to take pot shots in questions and not have a debate where we are able to respond fully to all of these issues; and where necessary confirm that the Principal Auditor is right; and where necessary say where we think the Principal Auditor is wrong. A debate we are ready to have, standing here like  
1355 sitting ducks to have him take pot-shots at us we are not prepared to play.

**Hon. Dr K Azopardi:** If he is a sitting duck, he is a sitting duck of his own making, by continuing to display to the people of Gibraltar a total unwillingness to answer simple questions. Because he is right, this is not a debate; and he is right that this is question and answers and I am asking him  
1360 a simple question.

We know that of the three contracts awarded to Meddoc they were not at least the lowest bidder in respect of one of them, which was notionally awarded to someone else. I am asking, in relation to the Bella Vista and John Mackintosh Wing tenders, were they the lowest bidder? It is a simple question.  
1365

**Hon. Chief Minister:** And like every question, Madam Speaker, that the hon. Gentleman puts, it comes with a trick; with a trick designed to try and give him a political advantage. That is why we will answer all of these questions and provide all of this information in the context of the debate, where we are able freely to set out all of the facts without having to fall foul of the rule  
1370 that this is Question Time, not time for a debate.

Madam Speaker, we are not sitting ducks of our own making. What we are, Madam Speaker, is responsible for every penny of the public's money that we spend; responsible to ensure that we get the best deal every time; responsible to ensure that those who get tenders from the public are not people who owe us hundreds of thousands of pounds in PAYE and in Social Insurance; responsible to ensure that we do the right thing every time in each sector including, in particular,  
1375 the sector that is the care of the elderly.

The hon. Gentleman can smile all he likes and he can think that he has got us if he wants, but during the course of the debate we will demonstrate that every decision taken was the right decision taken, and that every right-thinking Gibraltarian would have done the same thing. He is  
1380 the one who is afraid of debating it.

**Hon. Dr K Azopardi:** Madam Speaker, why does he not realise that in ducking – ducking as a sitting duck that he is – the simple question that I am asking as to whether they were the lowest bidder. Every time he stands up and refuses to answer that simple question, every time he is  
1385 sending a clear message to the people of Gibraltar. Does he not realise that? Does he not realise that he is sending the message that he does not want to answer simple questions because there are things to hide?

**Hon. Chief Minister:** Far from it, Madam Speaker.

1390 I am delighted to come here on Monday and provide all of the facts and all of the facts will  
demonstrate to the people of Gibraltar that actually what we did, in that context, was absolutely  
the right thing. And perhaps, Madam Speaker, if he were true to himself and if he were true to  
our obligation of loyalty to the people of Gibraltar, on Monday when he speaks after me or before  
me, or whether he speaks before me perhaps out of this place, he might then say having now all  
1395 of the facts and understanding in the context of this debate what happened, in relation to the  
Meddoc contract and in relation to the other issues that the Principal Auditor has raised, I realise  
that the Government was right.

That they acted properly, that the Chief Minister was the subject of innuendos from me during  
the course of Question Time, which were unfair. I take it all back, he did the right thing. I support  
what the Government did on the Meddoc contracts. Perhaps on Monday, if he is true to himself,  
1400 he will do that at the end of that debate.

**Madam Speaker:** Next question.

**Q250-51/2024**  
**Global Health Insurance Card –**  
**UK-EU Trade and Co-operation Agreement**

**Clerk:** Question 250. The Hon. the Leader of the Opposition.

1405 **Hon. Dr K Azopardi:** Madam Speaker, can I ask, yes: pending the conclusion of negotiations on  
a Treaty for a new relationship for Gibraltar with the EU, are the Government seeking confirmation  
that British Gibraltarians and British citizens resident in Gibraltar can be issued with a Global  
Health Insurance Card, or GHIC Card, under the UK-EU Trade and Co-operation Agreement, or  
under some other arrangements?

1410 **Clerk:** Answer, the Hon. the Chief Minister.

**Chief Minister (Hon. F R Picardo):** Madam Speaker, I will answer with 251.

1415 **Clerk:** Question 251. The Hon. Leader of the Opposition.

**Hon. Dr K Azopardi:** Following the recent meeting with Lord Cameron, will the Chief Minister  
update the House in respect of the negotiations towards the conclusion of a treaty on a new  
relationship with the EU?

1420 **Clerk:** Answer, the Hon. the Chief Minister.

**Hon. Chief Minister:** Madam Speaker, the United Kingdom Global Health Insurance Card, or  
UK GHIC, is a card that is issued by the UK NHS to persons who establish an entitlement to one,  
1425 under the UK Social Security Legislation. In the context of arrangements made between the UK  
and the EU under the UK-EU Trade and Co-operation Agreement, the UK GHIC provides card  
holders with the right to access State-provided healthcare during a temporary stay in the EU.

British Gibraltarians, who are not resident in the UK, or British citizens resident in Gibraltar, are  
not entitled to a UK GHIC, this being a product of UK Social Security Legislation, which is distinct  
1430 from Gibraltar Social Security Legislation. We nonetheless continue to look at related options.

Alongside the Deputy Chief Minister, I met with the UK Foreign Secretary, Lord David Cameron, in London on 29th January. The meeting took place shortly after round 16 of negotiations with the EU, which took place in Brussels from 23rd to 25th January.

1435 As Members of the House are aware, this was not the first time I have met Lord Cameron but it was indeed the first time I saw him in person in his new role. The Foreign Secretary needs no introduction to matters concerning Gibraltar. He knows the issues affecting us in detail and he has demonstrated his commitment to Gibraltar as evidenced, not just by his agreement to see me when he was pressed with the complexity of other world events, but also as the House will recall, by his visit as Prime Minister in the lead-up to the Brexit referendum, the first by any sitting Prime  
1440 Minister since 1967.

During our meeting, we discussed the latest developments in relation to our negotiations with the EU and the meeting was also an opportunity for us to reaffirm the close relationship that Gibraltar and the United Kingdom have. This relationship of close partnership, which is now closer than ever, is what has steered the successes that we have so far delivered in the Brexit process and I am confident that, together, we will successfully take this last step in the process towards a final negotiated outcome.  
1445

The Government remains firmly committed to working hand-in-glove with the Foreign Secretary and the UK Government, generally, to reach that goal as soon as practically possible. But it would be imprudent and irresponsible to simply assume that we will get there. Because of this, Lord Cameron and I also recognise the importance of continuing our work on no-deal planning, an area that the Deputy Chief Minister has been working on closely with another friend of Gibraltar, the Minister for Europe, Leo Docherty, who we also met separately on that day.  
1450

The Foreign Secretary was unequivocal in that he will not agree to anything that would compromise on Gibraltar's sovereignty and I can assure the House, as I have done time and again, that the Government's red lines on sovereignty, jurisdiction and control are impenetrable. Members of the House will recognise that the issues at hand are complex and should not be prejudged in any way at this late stage; and it is at this late stage where the most complex issues are brought to the fore, of course. Nonetheless, I am convinced that with the help of our partners in the UK Government we will arrive at an agreement that is safe and beneficial for Gibraltar because anything other than that will not be agreed to by my Government.  
1455  
1460

**Hon. Dr K Azopardi:** Can I ask in relation to 250, which is the healthcare arrangements, obviously the whole scheme that led to a GHIC Card, the Global Health Insurance Card, is embedded in the Trade and Co-operation Agreement. It is a complex agreement and in the Social Security protocol which, at first sight, looked as if it was a benefit for UK Nationals or yes UK citizens ... British citizens.  
1465

Has the Chief Minister tabled discussions with the UK or taken legal advice as to the scope of the entitlements? Or is the answer that he gave in respect of the entitlement, a product of discussions with the UK, or a product of our own assessment of the scope of the agreement?  
1470

**Hon. Chief Minister:** It is the obvious understanding of a reading of the agreement.

**Hon. Dr K Azopardi:** He will see from my question that I asked whether there can be an arrangement, not just under the UK-EU Trade and Co-operation Agreement, but under some other arrangements. Are there, in the context of the discussions that we are having, envisaged provisions, should there be an agreement that would lead to the issue of a similar card for Gibraltar?  
1475

**Hon. Chief Minister:** Madam Speaker, I have stoically ensured that we have not disclosed any aspect of the detail of the negotiations so far. We are now in the final throes and I am not going to, for that reason at this stage, err into the area of disclosing details of the agreement. But I will  
1480

say to the hon. Gentleman, as I have before on this subject, that we continue to look at the subject of healthcare as part of the negotiations.

1485 **Hon. Dr K Azopardi:** On 251 and of course understanding the delicate nature of the discussions and the timescales and where we are and so on, can I ask the Chief Minister whether, in his view, there has been progress since last time I asked on this issue. If he will recall that when I posed this last question they were towards the end of the last round of technical talks.

1490 So can I ask whether, in his view, there has been progress, are there new technical talks envisaged, or any new formal round of negotiations envisaged from now till Easter?

**Hon. Chief Minister:** Madam Speaker, the hon. Gentleman has really asked three questions there at the end, the answer to all of which is yes.

1495 **Madam Speaker:** Before we move on to the next question, I would ask the Hon. Leader of the Opposition whether you have any supplementary questions on question 248, which was the schedule of the Red ID Cards? No supplementaries? All right. Next question.

1500 **Hon. Chief Minister:** I am just conscious that we are about to change the sitting duck from this one to another one. And I wonder, Madam Speaker, whether in order to allow Hon. Members to reload and the ducks to put on their appropriate life jackets, we might recess for 20 minutes until 5.20 p.m.?

**Madam Speaker:** All right, we will have a short recess until 5.20 p.m.

*The House recessed at 5.05 p.m. and resumed its sitting at 5.25 p.m.*

## HEALTH, CARE AND BUSINESS

Q132/2024

GHA Dentists –  
Children's time slots

1505 **Clerk:** We continue with questions to the Hon. Minister for Health, Care and Business. Question 132. The Hon. J Ladislaus.

1510 **Hon. J Ladislaus:** Madam Speaker, how long are the time slots currently available for a child being seen by a GHA dentist; and are all slots being filled up?

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

1515 **Minister for Health, Care and Business (Hon. G Arias-Vasquez):** Madam Speaker, the length of the time slots for a child being seen by the GHA dentist varies depending on the type of treatment which is being provided. It is, therefore, not possible to give an accurate time for each slot as it is not a one-size-fits-all. All available time is booked to maximise efficiency.

1520 **Hon. J Ladislaus:** I am grateful. Information that has come to me, and it is from a service user who has received this information herself, suggests that slots being given out are around the 20-minutes slot. However, I appreciate that, for example, for root canals and more complex procedures, longer slots are needed, such as one- or two-hour slots and this is where I am coming to with my next question.

1525 Because these slots are 20 minutes each, and perhaps a person might have an appointment two- or three-months down the line, a child may have an appointment for something more serious like a root canal three or four months down the line, what is occurring is that these 20-minute slots are not sufficient to see to the problem but rather to patch it up in the meantime.

1530 So what occurs is an inefficiency in that the problem then worsens and further time is required and is taken up within these smaller slots. Can the Minister comment as to whether that issue could be addressed?

1535 **Hon. G Arias-Vasquez:** Madam Speaker, the issue of the time slots for dentists is a clinician-led matter. As the hon. Member opposite rightly pointed out, it is dependent on what the issue is with the individual child. So a check-up or a review is normally between 20 and 30 minutes and as the hon. Member rightly said, an extraction or a root canal is between 30 minutes and an hour, so it very much depends.

If you go in for a review and indeed it is determined that you need a further treatment you will be booked in, but you will not be seen to at that moment in time, which is precisely what always happens and what would happen, usually, wherever you were to be seen.

1540 **Hon. J Ladislaus:** One further observation that has been made and brought to my attention is that when individuals are attending their appointments, there does not seem to be a back-to-back slot filled. So, i.e., there is not another child waiting to be seen once that child has come out. Can the Hon. Minister confirm whether all slots are indeed being filled, because there appears to be a situation whereby some slots are not being used?

1545 **Hon. G Arias-Vasquez:** Madam Speaker, the manner in which appointments are booked is that they try to maximise the available time. So, for example, if there is a 30-minute appointment or if there is a review of 20 minutes, the clerks will try to avoid booking someone immediately thereafter. But what will often happen is that less time is taken to review a child than is actually booked in, which is why there does not appear to be a back-to-back slot. But I am assured that the slots are booked in order to maximise efficiency at the dental clinic.

**Madam Speaker:** Next question.

#### Q133/2024

#### Dental nurses –

#### How many currently employed

1555 **Clerk:** Question 133. The Hon. J Ladislaus.

**Hon. J Ladislaus:** Madam Speaker, how many dental nurses are currently employed by the GHA?

1560 **Clerk:** Answer, the Hon. Minister for Health, Care and Business.

**Minister for Health, Care and Business (Hon. G Arias-Vasquez):** Madam Speaker, the GHA presently employs eight full-time and one part-time dental nurse.

1565 **Hon. J Ladislaus:** Madam Speaker, can the Hon. Minister comment as to whether there are indeed enough nurses to cover all the work that is currently being undertaken and all the dentists that are currently within the complement, because I have had suggestions that there are shortages?

1570 **Hon. G Arias-Vasquez:** Madam Speaker, I assume that this would be where the question was going, so I took the liberty of pulling out the 2011 and 2012 estimates, which was the last estimates prepared by the Members opposite, when they were indeed in Government and at the time there was one dental nurse in the complement. So, that gives me sufficient confidence that eight full-time nurses and one part-time dental nurse is indeed sufficient.

1575 **Hon. J Ladislaus:** I am grateful. Just to pick up that thread, the complement of children has increased since we were last in Government and that is a statistical fact and then, therefore, obviously there were less dental nurses back then. But I am also obviously concerned about the backlog that was created by COVID, which is being addressed, but is that backlog now controlled? Is it still there?

1580 Could the Hon. Minister please enlighten us as to whether that backlog will disappear anytime soon?

**Hon. G Arias-Vasquez:** Madam Speaker, whilst it is accepted that the number of children has increased, it has certainly not increased eight-fold. So I think that is sufficient comfort in respect of that question.

1585 If you look at the complement for this year, if you look at the Green Book for this year, the number of dental nurses is actually six. So there are supposed to be six dental nurses in the complement, two additional dental nurses were added as part of the waiting-list initiative to try and clear the dental waiting-list initiative.

1590 So we feel that measures have been taken in order to clear the waiting-list initiative and that is under review and currently going quite well.

**Hon. J Ladislaus:** I am grateful for that answer. Can the Hon. Minister, therefore, confirm when it is expected that the entire waiting list will have been cleared?

1595 **Hon. G Arias-Vasquez:** Madam Speaker, that is not the question being tabled. If there is a question to be tabled, I would require notice of that question in advance.

**Madam Speaker:** Next question.

#### Q134/2024

#### Prosthetic limbs – Numbers; external providers

1600 **Clerk:** Question 134. The Hon. J Ladislaus.

**Hon. J Ladislaus:** Madam Speaker, how many service users requiring prosthetic limbs are there currently under the care of the GHA? And how many of those service users are being sent to external providers to have those prosthetic limbs fitted and maintained?

1605 **Clerk:** Answer, the Hon. the Minister for Health, Care and Business.

1610 **Minister for Health, Care and Business (Hon. G Arias-Vasquez):** Madam Speaker, at present we have 18 ambulatory lower-limb amputees who access the GHA prosthetic service. Additionally, we have one upper-limb amputee who uses prosthetics and accesses UK for provision and maintenance.

**Hon. J Ladislaus:** I am grateful. Can the Hon. Minister provide a little bit more information as to who those providers are?

1615 **Hon. G Arias-Vasquez:** Madam Speaker, the GHA has a service level agreement with Opcare UK, which is supported by the company Ortopedia Clinica Poyatos for provision and maintenance of prosthetic limbs. The upper limb prosthetic users also access Opcare UK.

1620 **Hon. J Ladislaus:** Madam Speaker, has a cost-to-benefits analysis been carried out to determine whether employing somebody within the GHA with expertise in fitting those prosthetic limbs would actually be more beneficial than outsourcing the work?

1625 **Hon. G Arias-Vasquez:** Madam Speaker, I am not certain whether that has or has not been done, but what I do know that has been done is that Poyatos has come to Gibraltar a maximum of 12 visits and in these visits they take primary measurements for making the sockets and the necessary adjustments. So we have been looking to maximise the care for any user which requires to access a service.

1630 **Hon. J Ladislaus:** I am grateful. My concern here is that I am reliably informed that the prosthetic limbs may fit today, but next month they may not fit as they should, given there are many factors that impact that fit. My understanding is temperature can impact the fit of a prosthetic limb and obviously that impacts daily life for a lot of these individuals who rely on prosthetic limbs.

1635 Can the Hon. Minister, therefore, commit to looking into this area further, so that improvements can be made to access to somebody who can maintain those limbs?

**Hon. G Arias-Vasquez:** Madam Speaker, the information which I have available is that it is not cost effective to have someone here in Gibraltar due to the complexities of the prosthetics. I am happy to commit to looking into it to see whether the service can be provided in a better manner.

1640 **Madam Speaker:** Next question.

**Q135/2024**  
**Occupational Therapists –**  
**Vacancies opened**

**Clerk:** Question 135. The Hon. J Ladislaus.

1645 **Hon. J Ladislaus:** Madam Speaker, in the past six months have there been any vacancies opened within the GHA for the role of Occupational Therapist, and if so have those vacancies been opened to the wider public or only opened internally?

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

1650 **Minister for Health, Care and Business (Hon. G Arias-Vasquez):** Madam Speaker, in January 2024, the GHA published the vacancy for Occupational Therapist within the public sector. No other vacancies have arisen in the past six months.

**Hon. J Ladislaus:** I am grateful for that reply. I wonder whether the Hon. Minister would have the information in front of her, is that the case for Assistant Occupational Therapists also?

1655 **Hon. G Arias-Vasquez:** Madam Speaker, the question relates to Occupational Therapists. I do not have the information in front of me as to whether the Assistants have also been published.

**Hon. J Ladislaus:** I do take the point that I have not asked that specific question. Would the Hon. Minister perhaps write to me with that information?

1660 **Hon. G Arias-Vasquez:** Yes. No issue with that.

**Madam Speaker:** Next question.

**Q136/2024**  
**Crisis Intervention Team –**  
**Mental health service users**

**Clerk:** Question 136. The Hon. J Ladislaus.

1665 **Hon. J Ladislaus:** Madam Speaker, how many service users have called 111 for mental health reasons and been referred to the Crisis Intervention Team in the past 12 months, broken down by month?

1670 **Clerk:** Answer the Hon. the Minister for Health, Care and Business.

**Minister for Health, Care and Business (Hon. G Arias-Vasquez):** Madam Speaker, the information recorded on the Primary Care Electronic Patient Record system is as follows:

In January, there were 4 calls  
In February there were 2  
In March there were 5  
In April there were 4  
In May there were 3  
In June there were 2  
In July there were 4  
In August there were 5  
In September there were 2  
In October there were 4  
In November there were 4  
In December there were 2  
And for completeness, in January there were 3.

**Madam Speaker:** Next question.



**Q137/2024**

**St Bernard's Hospital –  
Mental health A&E; facilities and staff**

1675 **Clerk:** Question 137. The Hon. J Ladislaus.

**Hon. J Ladislaus:** Madam Speaker, where within the A&E Department of St Bernard's Hospital is the Mental Health A&E situated and what does it consist of in terms of facilities and staff?

1680 **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's Mental Health Liaison Team is situated just outside the Emergency Department. It is a clinical area where patients can be assessed and treated. There are currently five registered mental health nurses within the team with a 24/7 cover of the service.

1685 There is also a responsible psychiatrist for the team from Monday to Friday, 8 a.m. to 5 p.m. together with a 5 p.m. to 8 a.m. on-call rota. As I already confirmed to the hon. Member opposite, on 19th December 2023, the mental health facility is clinician-led, so if the clinician feels it is appropriate to take them outside to a more private setting, they are taken to a room just outside A&E.

1690 **Hon. J Ladislaus:** I am grateful. We have heard that the psychiatrist is available from Monday to Friday from 8 a.m. to 5 p.m., could the Hon. Minister confirm what occurs on Saturdays and Sundays?

1695 **Hon. G Arias-Vasquez:** Madam Speaker, I would need notice of that question. Unfortunately, I am unaware of what happens on Saturdays and Sundays.

**Hon. J Ladislaus:** Would the Hon. Minister be happy to provide me with that in writing?

1700 **Hon. G Arias-Vasquez:** Yes. I have just been told that they are on call 24/7 on a rota. So they would be called to come down to A&E.

**Hon. J Ladislaus:** I am grateful. Could the Hon. Minister confirm then, that my understanding is correct, that currently the Mental Health A&E consists only of one room which is outside a very busy A&E area. Is that correct?

1705 **Hon. G Arias-Vasquez:** Madam Speaker, we had this discussion on 19th December 2023. There is one room outside the A&E area where patients are taken, if the clinician feels it is necessary to take the clinician outside A&E. So if a clinician makes a call that it is necessary to take the patient outside A&E, there is a room available for that. Otherwise the patient will stay in the ordinary A&E.

1710 **Hon. Dr K Azopardi:** Can I ask, the hon. Lady has indicated that the mental health aspect of the A&E is staffed by five RMNs, I think she said, but presumably these are not five RMNs that are there all the time, because when people attend the A&E – or are they? I mean, is that her information?

1715 **Hon. G Arias-Vasquez:** Madam Speaker, the information that I gave is that there are five registered mental health nurses within the team, not there all the time.

1720

**Hon. Dr K Azopardi:** I see. My information is when people attend the A&E with a mental health issue they would be seen by the nurses that are there; not necessarily RMNs. It might be necessary for them to do a call-out to a consultant psychiatrist, but I was interested to hear the hon. Lady say that there were five RMNs as part of the team.

1725 Does that mean that there is at least one RMN as part of the A&E complement on any particular night that is available; or does an RMN, if needed, need to be called to come down as well?

**Hon. G Arias-Vasquez:** Madam Speaker, as I confirmed in reply to the question, there is a 24/7 cover to the service, so there are five RMNs available on 24/7 cover.

1730

**Hon. Dr K Azopardi:** I see, I understand that. But really what I am asking is when someone turns up with a mental health crisis at A&E, is there someone there who is mental-health trained at that moment and is the answer to that no, because they have to call the psychiatrist or call an RMN on duty?

1735

**Hon. G Arias-Vasquez:** Madam Speaker, I am not 100% certain. My understanding is that there is an RMN available during those hours, but I would not be confident in standing here and confirming that that is the case. If I get notice of that question specifically, I can answer it next time.

1740

**Hon. Dr K Azopardi:** I am grateful, and indeed if necessary we will table the question if the hon Lady needs to be prompted and does not reply in the interim. But I would ask her, perhaps, if she could find out because my understanding is that if someone does turn up, or at least my understanding previously was, that if someone does turn up with a mental health crisis there is not someone there who is mental health trained.

1745

They may have access to people who they can call and really what I was trying to probe is: has there been any adjustment of my previous understanding of how the mental health provision is being supplied to users? And either the answer is that there has not, and the service is still as I understand it – in other words people need to be called – or there has been, and there has been an improvement.

1750

So I would be grateful if the Hon. Minister would look into that and write to us, if she may; and if she does not because, for some reason, the matter slipped her mind then I will table the question to prompt her.

1755

**Hon. G Arias-Vasquez:** Madam Speaker, I am happy to reach out to the hon. Member opposite and reply to that specifically.

**Madam Speaker:** Next question.

**Q138/2024**  
**GHA General Stores –**  
**Stock-taking controls**

**Clerk:** Question 138. The Hon. J Ladislaus.

1760

**Hon. J Ladislaus:** Madam Speaker, what stock-taking controls does the GHA have in place within its Departments to ensure that they operate within the requirements of Stores' instructions?

1765

**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 currently have a number of stock control systems. An example is Pathology, which is controlled by the Modulab system.

1770 The GHA is in the process of implementing a state-of-the-art stock-control system called Omnicell and rolling this out across most of its clinical and non-clinical areas. Omnicell has already been rolled out in theatres with great success, controlling and managing stock levels in the most cost-effective way and ensuring stock is always available to support clinical activity.

**Hon. J Ladislaus:** I am grateful for that answer.

1775 Madam Speaker, when was the Modulab system implemented within the Pathology Department?

**Hon. G Arias-Vasquez:** Madam Speaker, again that is a very specific question. Could that be tabled, please?

1780

**Hon. J Ladislaus:** I will table that.

Madam Speaker, has the Omnicell system only been rolled out within theatre, or can we have confirmation as to whether it has been rolled out anywhere else within the GHA? And if not, by when does it expect to be rolled out GHA-wide?

1785

**Hon. G Arias-Vasquez:** Madam Speaker, Omnicell has indeed been rolled out in theatres with great success. General Stores have more than doubled the Omnicell system in the last 12 months and holds in excess of 2,000 items in supply with the Omnicell interface.

1790 This has involved training and development of staff to access stock via the Omnicell automated cabinets, and we have the A&E, CCU and Day Surgery scoped for 2024 and 2025. The GHA is also assisting in partially integrating key staff from Dialysis, the Ophthalmic Department and Pathology by the end of 2024.

**Hon. J Ladislaus:** I am grateful for that answer. Is it expected that it will be rolled out to every Department within the GHA, or simply the ones that have been outlined?

1795

**Hon. G Arias-Vasquez:** Madam Speaker, it is envisaged that it will be rolled out to all of the Departments in the GHA eventually.

**Hon. J Ladislaus:** Madam Speaker, am I therefore correct in my understanding that other Departments do not have stock control systems. Is that the case?

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**Hon. G Arias-Vasquez:** Madam Speaker, as I indicated in my earlier reply, different Departments have different stock-control systems. So an example of that is the Pathology Lab which at the moment is controlled by a Modulab system. So it is a different system but it is a different stock-control system.

1805

**Hon. J Ladislaus:** I am grateful for that indication. But the question specifically is: are any Departments without the stock-control systems that they need to have in place?

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**Hon. G Arias-Vasquez:** Madam Speaker, the Omnicell system is one that is currently being rolled out. There are other stock-control systems which are an older stock-control system, but the Omnicell system is being rolled out as per the programme that I indicated earlier, and the Modulab system is in place in the Pathology Lab.

1815

**Hon. J Ladislaus:** I am just failing to understand. So, then, is the Hon. Minister saying that every Department does have perhaps a more rudimentary stock-control system in place, but every

Department currently has a stock-control system, or is it only Pathology that has it and then we are waiting for the other Departments to have this?

1820

**Hon. G Arias-Vasquez:** Madam Speaker, the GHA has other stock-control systems controlling consumables which will eventually be transferred onto the Omnicell system.

**Madam Speaker:** Next question.

**Q139/2024**  
**GHA service contracts –**  
**Up to date**

1825

**Clerk:** Question 139. The Hon. J Ladislaus.

**Hon. J Ladislaus:** Madam Speaker, can the Hon. Minister confirm whether all service contracts in respect to all services contracted-out by the GHA, are up-to-date; and if not give the reasons for this?

1830

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

1835

**Hon. the Minister for Health, Care and Business (Hon. G Arias-Vasquez):** Madam Speaker, some service contracts are out of date as they are time-lapsed and the GHA is currently reviewing these contracts. An organisation the size of the GHA has hundreds of different service contracts across all clinical and support areas. At any one point, it will be inevitable that some of these contracts may have lapsed, but the GHA is always in the process of reviewing all of its contracts to ensure delivery and value for money.

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To give an example of such contracts would be for sponsored patients, for example, where a number of external contracts are time-lapsed and are now being reviewed with the appropriate clerical and legal support. Given the large number of contracts in question, it would not be possible to give more contract-by-contract detail.

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**Hon. J Ladislaus:** So, is my understanding correct that in the meantime, specifically, we have heard that it is to do with sponsored patients? There are currently no up-to-date contracts governing those services. Is that correct?

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**Hon. G Arias-Vasquez:** Madam Speaker, as the hon. Member will know, even if the contract is time-lapsed it will roll over and the terms of the agreement will remain in force by virtue of the fact that there has been a contract in place.

So the contracts are time-lapsed but they are currently being renegotiated by the GHA.

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**Hon. J Ladislaus:** Yes, I agree with some of that but nevertheless, given that they have lapsed, there would be issues as to whether it would remain binding until such time as they are re-entered into. So in the meantime, what protection is in place for the service users and the impact upon our community?

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**Hon. G Arias-Vasquez:** Madam Speaker, we know of no such issues that are impacting any service users. The contracts and the services are still being accessed by the service user and we have had no complaints of the services provided by tertiary institutions as a result of the contracts being time-lapsed.

1865 **Hon. J Ladislaus:** One further question. Is there any system in place so that service contracts can be reviewed quickly; and obviously we can avoid the scenario whereby contracts are lapsed so quickly that we have not been able to enter into negotiations as to re-formalising the arrangement?

I will rephrase that, it is a bit convoluted. But can you confirm whether there will be anything put in place to remain on top of these contracts so that they do not lapse and we can be on top?

1870 **Hon. G Arias-Vasquez:** Madam Speaker, we have different Departments that deal with these different contracts. So there is a level of legal and clerical oversight in respect of all of these contracts. However, as explained in the answer to the question, in an organisation the size of the GHA it is inevitable that some contracts will lapse.

1875 Is the service user affected? We do not believe so and we have not had any comments confirming that any service user has suffered as a result of the contracts being time-lapsed and we are not concerned therefore.

1880 **Hon. J Ladislaus:** The service user may not be impacted directly, but there is a concern obviously that there may be issues ultimately to the taxpayer, given that there may be legal issues arising from these contracts that have not been renewed in time. Is that agreed?

**Hon. G Arias-Vasquez:** No, Madam Speaker, not at all; that is not agreed. There are no such issues.

**Madam Speaker:** Next question.

**Q140/2024**  
**GHA Departments external services –**  
**Arrears owed**

1885 **Clerk:** Question 140. The Hon. J Ladislaus.

1890 **Hon. J Ladislaus:** Madam Speaker, can the Hon. Minister provide breakdowns by Departments of the amount of arrears owed to GHA Departments for services provided externally for the years: 2016-17, 2017-18, 2018-19, 2019-20, 2020-21, 2021-22 and 2022-23?

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

**Minister for Health, Care and Business (Hon. G Arias-Vasquez):** Madam Speaker, the arrears owed to the GHA Department for services provided externally are as follows:

2016-17 zero  
2017-18 zero  
2018-19 zero  
2019-20 £119.66  
2020-21 zero  
2021-22 £298,384.62  
2022-23 £33,795

1895 **Hon. J Ladislaus:** I am grateful for those indications.

Can the Hon. Minister confirm whether parts of those arrears due in 2021-22 and 2022-23 pertain to the arrears within the Pathology Department that were within the Auditor’s report, the last one for 2016-17 and 2017-18?

**Hon. G Arias-Vasquez:** Madam Speaker, apologies but I forgot to break it down by Department.

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So 2021-22 there is a figure of £298,384.62 owed by the Pathology Department; and the same is 2022-23 that is a figure of £33,795 that is owed by the Pathology Department. The £119.66 in 2019-20 is owed by Radiology.

I think that is the distinction that the hon. Member was seeking.

Financial Year	Pathology (public analyst & PCR)	Radiology
2016/2017	-	-
2017/2018	-	-
2018/2019	-	-
2019/2020	-	119.66
2020/2021	-	-
2021/2022	298,384.62	-
2022/2023	33,795.00	-

1905

**Hon. J Ladislaus:** I am grateful. By when can these areas be expected to be cleared?

**Hon. G Arias-Vasquez:** Madam Speaker, the arrears are owed for numerous different reasons, so we cannot confirm when exactly they are going to be owed. Three reasons that the arrears are owed is because there is either a dispute over the responsibility of the bill; or because there is a repayment agreement in place and that repayment agreement is being repaid month by month; or there was a bankruptcy declaration by the clinic. But in either of those instances, we are unable to confirm when those arrears will be paid.

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1915

**Madam Speaker:** Next question.

**Q141/2024**  
**Annual leave –**  
**Administration and management**

**Clerk:** Question 141. The Hon. J Ladislaus.

**Hon. J Ladislaus:** Madam Speaker, is the administration and management of annual leave being undertaken in adherence to general orders within every Department of the GHA?

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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, yes, it is.

1925 **Madam Speaker:** Next question.

**Q142/2024**  
**Approval of overtime –**  
**Mechanisms in place**

**Clerk:** Question 142. The Hon. J Ladislaus.

**Hon. J Ladislaus:** Madam Speaker, what mechanisms are in place within the GHA, by department, for the approval of overtime?

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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, the following mechanisms are in place for the approval of overtime.

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For nursing staff, overtime submissions are included in the weekly off duties. There is a separate section within the rota which allows for overtime hours to be entered. The rotas are prepared by the ward Charge Nurse and then forwarded on to the Clinical Nurse Managers for a further check and final ratification. Both signatures are required before they are accepted by Salaries for payment.

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In terms of the medical staff, overtime submissions are received in the form of monthly timesheets. Any extra hours worked are entered by the individual practitioner and then signed off by the Senior Consultant responsible for the particular individual. If the overtime request relates to senior employees, overtimes are then approved by the Medical Director.

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In terms of allied health or admin and support overtime submissions are received on a monthly basis, a month in arrears. All submissions processed by individuals are then reviewed and checked by the department line manager. A further authorisation is included on the form, which requires a signature of the Head of Department before these are accepted by Salaries for payment. The Salaries Department will not process any overtime form without its necessary approvals.

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**Hon. J Ladislaus:** I am grateful for that information. I am just going back to the most recent Auditor's report again, but there was information therein which highlighted issues, specifically within the Pathology Department, as to incorrect claims being made and paid out in respect of call-outs. Have any investigations been carried out, or will they be carried out, to establish whether these issues have continued or have been curbed since?

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**Hon. G Arias-Vasquez:** Madam Speaker, overtime was previously authorised solely by the Pathology Services Manager. Overtime requirements are now raised by the Pathology Services Manager with the Executive Director and discussed to see whether it is indeed required, justified or if there are other options available. Only after this is overtime authorised by the Pathology Services Manager. Emergency overtime, as a result of a call-out is also scrutinised, albeit after the event and call-out thresholds are tightened when required.

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**Madam Speaker:** Next question.

**Q143/2024**  
**Overtime payments –**  
**Totals paid**

**Clerk:** Question 143. The Hon. J Ladislaus.

1965

**Hon. J Ladislaus:** Madam Speaker, how many GHA employees whose basic salary is more than the set threshold stipulated in the Agenda for Change, of £52,492.82 for eligibility to claim overtime payments, claimed and received overtime payments in the following years and how much in total were those individuals paid: 2011-12, 2012-13, 2013-14, 2014-15, 2015-16, 2016-17, 2017-18, 2018-19, 2019-20, 2020-21, 2021-22, 2022-23, and 2023 to date?

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

**Minister for Health, Care and Business (Hon. G Arias-Vasquez):** Madam Speaker, I now hand over schedule with the information requested.

1975

**Answer to Question 143**

<b>FY</b>	<b>PAY CAP</b>	<b>MANNING OVERTIME</b>	<b>DISCRETIONARY OVERTIME</b>
09/10	41,000.00	1,791.90	23,509.95
10/11	41,922.50.	25,183.61	11,205.90
11/12	42,970.56	51,180.89	8,172.89
12/13	44,044.82	2,424.13	1,143.99
13/14	45,145.94	-	15,567.73
14/15	46,274.59	872.52	3,706.73
15/16	47,547.14	26,596.88	98.32
16/17	48,854.69	25,964.11	449.94
17/18	50,198.19	34,667.50	16,053.74
18/19	51,413.14	43,936.80	57,532.45
19/20	51,413.14	49,136.07	47,492.81
20/21	51,413.14	111,716.44	15,964.41
21/22	51,413.14	136,990.35	7,518.72
22/23	51,413.14	27,756.34	19.89



23/24	51,413.14	13,160.81	897.39
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**PLEASE NOTE AFC WAS IMPLEMENTED ON 01.10.09**

1980 *Please note that the threshold of £52,492.00 was in respect of the last pay increase in 2019. Prior to this the set threshold varied as per summary below.*

**Madam Speaker:** I will move on to the next question and come back to this once you have considered it.

**Q144/2024  
Ambulance refitting contract –  
Going out to tender**

**Clerk:** Question 144. The Hon. J Ladislaus.

1985 **Hon. J Ladislaus:** Madam Speaker, will the refitting contract of the ambulance, due to arrive in February this year, go out to tender?

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

1990 **Minister for Health, Care and Business (Hon. G Arias-Vasquez):** Madam Speaker, the ambulance is scheduled to arrive in Gibraltar in March 2024. I thought it was worth clarifying that. The GHA has not tendered the contract for this ambulance due to the urgent need for a further ambulance acquisition and the limited availability. The refit of this ambulance is being undertaken in Spain through a local provider.

1995

**Hon. J Ladislaus:** I should be grateful if the hon. Lady could give some more information as to how the re-fitter was identified.

2000 **Hon. G Arias-Vasquez:** Madam Speaker, there are two operators that are able to provide the service; one is in Vigo and one is in Plymouth and they are both known to the GHA.

**Hon. Dr K Azopardi:** So the ambulance is being refitted in Vigo, is it, given her answer about the Spanish provider?

2005 **Hon. G Arias-Vasquez:** I presume it is being refitted in one of the two, so either in Vigo or in Plymouth, but I am not certain which.

2010 **Hon. Dr K Azopardi:** And I suppose it does not really matter, but I was just trying to understand it because the hon. Lady, I think, said a Spanish provider organised through a local company or something like that. So unless the Spanish provider is in Plymouth, I struggle to see it, but yes.

**Hon. G Arias-Vasquez:** Madam Speaker, the hon. Member is indeed correct. The refit of this ambulance is being undertaken in Spain through a local provider, so I presume that it is Vigo.

2015 **Hon. J Ladislaus:** Can the Hon. Minister, confirm who the local provider is?

**Hon. G Arias-Vasquez:** Madam Speaker, I believe I know who the provider is but I am not 100% certain. I am happy to share the information behind the Speaker's Chair, but I would need notice to confirm in Parliament.

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**Madam Speaker:** Next question.

**Q145-150/2024  
BESS batteries –  
Supplier**

**Clerk:** Question 145. The Hon. C Sacarello.

2025

**Hon. C A Sacarello:** Who is supplying the BESS (Battery Energy Storage System) batteries to the Government?

**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 146 to 150.

**Clerk:** Question 146. The Hon. C Sacarello.

2035

**Hon. C A Sacarello:** What are the unitary and total purchase costs, including delivery and installation and all other associated costs of the BESS batteries – 'BESS' being B-E-S-S?

**Clerk:** Question 147. The Hon. C Sacarello.

2040

**Hon. C A Sacarello:** What is the agreement the Government has come to with the supply of the BESS batteries in relation to guarantees and warranties?

**Clerk:** Question 148. The Hon. C Sacarello.

2045

**Hon. C A Sacarello:** What lifespan do the BESS batteries purchased as backup to the power station have?

**Clerk:** Question 149. The Hon. C Sacarello.

2050

**Hon. C A Sacarello:** How will the BESS batteries be maintained and at what cost?

**Clerk:** Question 150. The Hon. C Sacarello.

2055

**Hon. C A Sacarello:** Will the battery maintenance go out to tender and if so, when? In the event that a particular party has already been nominated, please could the Hon. Minister provide details of said party?

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

2060

**Hon. G Arias-Vasquez:** Madam Speaker, the Gibraltar Electricity Authority, with the support of Solarcentury Africa, is currently involved in the final stages of the tender process in respect of the

battery energy storage system. The tender for this project was advertised in the local media, such as the Gibraltar Chronicle's edition of Wednesday, 19th July 2023.

At present, the process is commercially sensitive as the tender has not yet been awarded. We are therefore not in a position to disclose any further information regarding the tender process.  
2065 For that reason, the Government is unable to answer Questions 146 to 149 as none of the information requested is yet available. We will nonetheless be in a better position to answer these questions once a tender has been awarded.

**Hon. C A Sacarello:** Madam Speaker, very grateful to the hon. Lady.

2070 I would just ask her: does the Government have a date in mind as to when they are due to arrive, notwithstanding the tender process?

**Hon. G Arias-Vasquez:** Madam Speaker, the tender has not been awarded. Once the tender is awarded we will be in a better position to be able to disclose that information.

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**Hon. C A Sacarello:** Could the hon. Lady confirm if the Government's intention is to purchase direct from the party – I think the hon. Lady mentioned it was Solarcentury Africa, I missed exactly what she said – or if there will be any intermediaries, like local agents involved as well, other than the GEA?

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**Hon. G Arias-Vasquez:** Madam Speaker, Solarcentury Africa is involved in the tender process, because they are engaged to assist in the tender process; they are not the entity that we are buying from. We are involved in a tender process, however, and we are not at liberty to disclose any of that information at the moment.

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**Hon. C A Sacarello:** Thank you very much.

With regard to the maintenance of the contract, is it their intention for the maintenance to be carried out by the same party as part of the same tender process? If so, will a service level agreement be reached and would they be willing to provide us with the details in due course?

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**Hon. G Arias-Vasquez:** Madam Speaker, I refer the hon. Gentleman to the answer I gave a few moments ago.

**Madam Speaker:** Next question.

#### Q151/2024

#### Power cuts –

#### Power station; distribution network faults

2095 **Clerk:** Question 151, the Hon. C Sacarello.

**Hon. C A Sacarello:** Can the Hon. Minister please provide the House with a number of power cuts Gibraltar has suffered per annum, since and including 2020? Please break the official figure down into Power Station and distribution network faults on the one hand, and unplanned and planned maintenance works on the other, both on a per annum basis?

2100

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

**Hon. the Minister for Health, Care and Business (Hon. G Arias-Vasquez):** Madam Speaker, the number of high voltage power outages in Gibraltar since and including 2020 has been 34. These

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high voltage power outages have been due to either a Grid Fault, a mechanical failure at the North Mole Power Station, or as a result of the interruption of gas supply from our suppliers, Shell/Gasnor.

2110 The full details are as follows. The unplanned power outages in 2020 related to Shell were zero, related to a grid fault were 2 and related to the North Mole Power Station were 4.

In 2021 the unplanned power outage relating to Shell were zero, the unplanned power outages relating to a grid fault were 3 and the unplanned power outages related to the North Mole Power Station were 7.

2115 In 2022, the unplanned power outages relating to Shell were 2, the unplanned power outages related to a grid fault were 5 and the unplanned power outages related to the North Mole Power Station were 2.

In 2023 the unplanned power outages relating to Shell were 4, unplanned power outages related to the grid fault were 3 and the unplanned power outage is related to the North Mole Power Station were 2.

2120 In 2024 the unplanned power outages relating to Shell was 1, unplanned power outages related to the grid fault was zero, and the unplanned power outages related to the North Mole Power Station was 1.

Unplanned Power Outages	2020	2021	2022	2023	2024
Shell	0	0	2	4	1
Grid Fault	2	3	5	3	0
NMPS	4	7	2	2	1

2125 There have been no unplanned maintenance works that have led to a power outage. However, there have been a total of 104 planned maintenance works since and including 2020. These planned interruptions to our electricity supply were advertised, both in the local media as well as in the Gibraltar Electricity Authority's social media channels, with the purpose of informing those clients due to be affected prior to the interruption taking place.

2130 These interruptions arising from planned maintenance works are extremely important for the upkeep of our network infrastructure throughout Gibraltar, whilst also ensuring a safe working condition for the Gibraltar Electricity Authority employees when carrying out necessary works. These works include upgrading the cabling and switchgear on both the high voltage and low voltage systems, modifications to the network supply to new consumers, and cabling diversions to allow for new projects, etc.

2135 Details of the number of planned interruptions per annum are as follows: in 2020 there were 28; 2021 there were 37; 2022 there were 17; 2023 there were 21; and in 2024, so far, there has been one.

Planned Electricity Interruptions	2020	2021	2022	2023	2024
Distribution Network	28	37	17	21	1

2140 **Hon. C A Sacarello:** Madam Speaker, I am very grateful for the hon. Lady's response and it is interesting to note; and of course we are in full agreement of all our planned works for the maintenance of the grid. But it is interesting to note that in the last session of Parliament the Hon. Chief Minister mentioned that all the details were on there, but having double checked what I already suspected the only references on the GEA's website referred to planned interruption to supply as opposed to the power outages that my original question referred to.

2145 In fact, the only unplanned power outage, mentioned on the GEA's website is the one that took place on 6th or 7th January, which was interestingly put onto the website on 25th January, a date during which Parliament was in session.

2150 So I am leading to my question, we are glad to see that the Government has accepted the Opposition's request to post all interruptions to the supply, including unplanned power cuts in the static form. My question, Madam Speaker, is: will this be the *modus operandi* in the Government's protocol going forward?

**Hon. G Arias-Vasquez:** Madam Speaker, our information is that all planned power outages are advertised in the local press and on the GEA website.

2155 **Hon. C A Sacarello:** Sorry, Madam Speaker, that was not my question. My question is referring to the unplanned ones, the power outages. So will there be a static – I know they mention the GEA, in a press release why there was a power cut, but will there be a constant reference on the website so people can trace back and see why there was a power outage on that particular date?

2160 **Hon. G Arias-Vasquez:** Madam Speaker, we were told that there was. So we are happy to commit to that continuing to be the case.

2165 **Hon. C A Sacarello:** There was not, but that was the first one that I had found on there, at least, and if I can be shown others then I stand to be corrected. But if that is the case, I am happy with the fact. Is the Minister actually confirming that this will be the protocol going forward, whether it was or was not?

**Hon. G Arias-Vasquez:** Madam Speaker, again we are told that that is the case. So we are confirming that will continue to be the case.

2170 **Madam Speaker:** Any other supplementary? Next question.

**Q152/2024**  
**Liquefied/LNG natural gas –**  
**Average power station escapes**

**Clerk:** Question 152/2024, the Hon. C A Sacarello.

2175 **Hon. C A Sacarello:** What is the percentage of unburnt liquefied natural gas to actual LNG burnt, which escapes from a power station on average per annum since it commenced servicing the people of Gibraltar with electricity?

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

2180 **Hon. the Minister for Health, Care and Business (Hon. G Arias-Vasquez):** Madam Speaker, the percentage of unburnt natural gas, known as a methane slip, for the North Mole Power Station engines is approximately 2%.

2185 The Gibraltar Electricity Authority together with MAN, the manufacturers of the engines, are currently undertaking works on a generating set No. 3, with the aim to reducing the methane slip by an additional 30%. This work is being undertaken by MAN at no cost to the Gibraltar Electricity Authority, as part of their ongoing drive to make the engines worldwide more efficient and even cleaner.

2190 **Hon. C A Sacarello:** Madam Speaker, I am very grateful to the Minister for her details on methane slip, and as she highlights the LNG power station was much cleaner than other fossil fuels. It is still nonetheless a fossil fuel.

2195 Would the Minister not agree that the Government would have been wiser to have paid more attention to and invested more effectively in the development of alternative green technologies in the field of power generation, which would have secured a higher return than the measly 1%, which is currently being achieved, given that they had the targets of 20% by 2020, which was pushed back by the Climate Action Bill to 2025 and that they look unlikely to hit, so it may be pushed back yet again?

2200 **Hon. G Arias-Vasquez:** Madam Speaker, we had this debate yesterday when the hon. Member opposite asked me a question that was pretty similar in part of his supplementaries. So I would refer the hon. Member to that debate yesterday.

**Madam Speaker:** Next question.

**Q153/2024**  
**Power's Drive Tunnel incidents –**  
**AquaGib's health, safety and contingency plans**

**Clerk:** Question 153. The Hon. C A Sacarello.

2205 **Hon. C A Sacarello:** Have AquaGib's health and safety plans for potential incidents at the Power's Drive Tunnel been upgraded since the most recent incident in July 2022, which could have resulted in the loss of life of a firefighter?

2210 **Clerk:** Answer, the Hon. the Minister for Health, Care and Business.

**Hon. the Minister for Health, Care and Business (Hon. G Arias-Vasquez):** Madam Speaker, I will answer this question together with question 154.

2215 **Clerk:** Question 154. The Hon. C A Sacarello.

**Hon. C A Sacarello:** Have AquaGib's contingency plans for potential incidents at the Power's Drive Tunnel been upgraded since the most recent incident in July 2022; and if so what are they?

2220 **Clerk:** Answer, the Hon. Minister for Health, Care and Business.

**Hon. G Arias-Vasquez:** Madam Speaker, it should be noted that the Power's Drive Tunnel is not an asset belonging to AquaGib and belongs to HMG, His Majesty's Government of Gibraltar, who provides access to a number of entities including AquaGib.

2225 Irrespective of this, AquaGib has a process of continual review of its Safe Systems of Work, SSOWs, and at present the working in confined spaces SSOW is under review and consultation by the Health and Safety Manager. This SSOW covers all of the working practices performed by AGL employees in confined spaces and includes working in a variety of areas, including accessing Power's Drive Tunnel to work at AquaGib's assets at either end of the Power's Drive Tunnel and the pipeline connecting them, namely Beefsteak Reservoir and at Governor's Cottage Reverse  
2230 Osmosis Plants.

AquaGib has not changed anything specifically as a result of the July 2020 incident but is aware that His Majesty's Government of Gibraltar have increased security elements at the Power's Drive

Tunnel, and renewed and increased the number of security gates as part of the rehabilitation of the Tunnel after the fire.

2235 Madam Speaker, AquaGib has made a number of positive decisions related to the contingency measures as a result of the effects of the Power's Drive Tunnel. AquaGib believes these decisions will provide a significant better response to any similar incident at the Power's Drive Tunnel occurring in the future.

2240 Given the nature of AquaGib's assets being considered as critical national infrastructure, I do not think it would be prudent to share the specifics of these contingency measures in a forum which is public, without first ensuring this is acceptable from a civil contingency and security perspective within His Majesty's Government of Gibraltar.

2245 **Hon. C A Sacarello:** Thank you, Madam Speaker, and I thank the hon. Lady for her extensive reply. Regarding the armoured deck tiles that were there, have they been replaced? I know they were used for concerts; and were they insured, first of all?

2250 **Hon. G Arias-Vasquez:** Madam Speaker, once again that is quite a specific question which does not relate to the original question. I would need notice of that question and any other assets which the hon. Member would wish me to provide information on.

2255 **Hon. C A Sacarello:** Okay. My question, Madam Speaker, was leading to the fact that they were there in the first place; and can the hon. Lady confirm if they have been replaced, if they are stored in the same place or if they have been moved on to a separate place?

**Hon. G Arias-Vasquez:** Madam Speaker, I refer to my previous reply.

2260 **Hon. C A Sacarello:** Madam Speaker, a while back Minister Isola, at the time of the fire referred to an alternative pipeline, an emergency pipeline that was being connected with Spain for use in extreme emergencies such as the one suffered last time. Can the Government confirm if this has been fully installed and if it has, if it is ready to be switched on at the flick of a switch, in other words, when needed?

2265 **Hon. G Arias-Vasquez:** Madam Speaker, such specific questions need notice. I need specific notice of such questions in order to provide answers to them.

**Madam Speaker:** Next question.

**Q155-156/2024**  
**Casemates Square –**  
**Dates of meetings; stakeholders' inclusion**

**Clerk:** Question 155. The Hon. C Sacarello.

2270 **Hon. C A Sacarello:** On what dates have meetings taken place with stakeholders in Casemates Square with regard to its refurbishment; and broadly speaking who have these stakeholders included?

2275 **Clerk:** Answer, the Hon. the Minister for Health, Care and Business.

**Hon. the Minister for Health, Care and Business (Hon. G Arias-Vasquez):** Madam Speaker, I will answer this question together with Question 156.

**Clerk:** Question 156. The Hon. C Sacarello.

2280 **Hon. C A Sacarello:** What progress has been made with a view to works commencing on the refurbishment of Casemates?

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

2285 **Hon. G Arias-Vasquez:** Madam Speaker, we have engaged architects to design Chatham, Casemates and Main Street. We have already engaged with stakeholders of Chatham and intend to engage with representatives of Casemates within two months.

Meetings have already taken place in November and December 2023 and a third meeting is scheduled for March 2024. The attendees of these meetings have been Government officials and  
2290 Ministers.

**Hon. C A Sacarello:** Madam Speaker, grateful for the answer.

I refer to their own manifesto in which they mentioned they will engage with all stakeholders of Casemates and architects, and their own Cabinet does not really fall into that category. It also  
2295 mentions that the engagement will take place within a month and now we are being told that it will take place within two months from now. So that is seven months, probably half a year, after the election. Does the Government still believe that it can fulfil its promise of its manifesto election?

2300 **Hon. C P Santos:** I will take this question, Madam Speaker.

I met personally, first within the first 30 days, with representations from Chatham and Casemates. Since then, both myself and the Minister for Business have been working together, so it is a combined project. But the first meeting happened within the first 30 days and it happened  
in my office.

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**Hon. C A Sacarello:** I will not niggle over the maths, but I would be interested, Madam Speaker, if I could ask them when they mention the stakeholders, the manifesto promise commitment is to all stakeholders. Could the Hon. Minister clarify if, apart from retailers in the area, that it also includes people, residents and the like?

2310

**Hon. C P Santos:** The first meeting took place, we contacted the ... Is it Casemates you want to know? We contacted the Casemates Association and they brought representation of about 15 people. None of these were residents, but it was members of the kiosks, retail restaurants around the Square itself. No residents, as far as I am aware.

2315

**Hon. C A Sacarello:** Thank you for the reply; and will it be the Government's intention to include all stakeholders, residents as well?

**Hon. C P Santos:** Not for the beautification of Casemates Square; we are currently just meeting the stakeholders of the actual Square.  
2320

**Madam Speaker:** Next question.



**Q157/2024**

**Main Street Consultative Group –  
Formation; members; objectives**

**Clerk:** Question 157. The Hon. C Sacarello.

2325 **Hon. C A Sacarello:** When was the Main Street Consultative Group formed? Who does it comprise and what are its main objectives?

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

2330 **Hon. the Minister for Health, Care and Business (Hon. G Arias-Vasquez):** Madam Speaker, there is no Main Street Consultative Group of which the Government is aware.

**Hon. C A Sacarello:** Madam Speaker, I thank the hon. Lady for the answer. Again, I refer to page 47 of her own manifesto, or her party's manifesto, which says:

We will constitute the Main Street Consultative Group. This will allow us to consult with the stakeholders on everything related to our high street. We are totally committed to Main Street. This will happen within a month of being returned to office.

2335 So, I ask the question: if it does not exist then what was their promise about?

**Hon. G Arias-Vasquez:** Madam Speaker, there is a Main Street Retail Group which met in November, exactly as was said in the manifesto. There is a press release, press release 799/2023, which refers to the group and has a photo of all the participants.

2340

**Hon. C A Sacarello:** Thank you, Madam Speaker. Is this group a legal entity; and if not, what type of status does it enjoy?

2345 **Hon. G Arias-Vasquez:** Madam Speaker, that is a question for them. They constituted the Board and they have come to us. It is a body of people that have asked to meet with us and of course it is a legal group of individuals that have come to meet us. They have come to meet us as a group of individuals.

2350 **Hon. C A Sacarello:** Madam Speaker, this is shirking away from their manifesto commitment. The reason I am asking this question is because if significant amounts of money are going to be spent on this, we just want to make sure that the people of Gibraltar were represented and not led by one or two main parties.

Would the Minister be willing to share the details of this group with us?

2355 **Hon. G Arias-Vasquez:** Madam Speaker, I think the question is not quite clear. I think the hon. Member is trying to ask whether it has a statutory footing and the answer to whether the body has a statutory footing is no. I have shared, not only the information of who the participants of the group are, but the Government has shared a photo of who the individuals in the group are, along with its press release confirming that the body has been constituted and confirming the purposes of the group.

2360

**Madam Speaker:** Next question.

**Q158/2024**  
**Alzheimer's and dementia –**  
**Early detection**

**Clerk:** Question 158. The Hon. D J Bossino.

2365 **Hon. D J Bossino:** So, what plans does the Government have in respect of early detection of Alzheimer's and dementia?

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

2370 **Hon. the Minister for Health, Care and Business (Hon. G Arias-Vasquez):** Madam Speaker, as part of the Dementia Strategy, Primary Care is being tasked with looking into a review of all patients over 65 years of age for dementia, though at present it does not have the resources to do so.

2375 Currently, a patient may either refer themselves to a GP or may be referred by a family member or a friend if there are concerns regarding memory loss or cognitive decline. The GP then assesses the patient using a recognised standardised assessment tool, GP-COG. This tool can be used if a GP is concerned about a potential diagnosis after a patient presents with a different complaint. If the patient meets the necessary threshold, they are then referred on to the dementia specialists at the Memory Clinic.

2380

**Hon. D J Bossino:** Maybe if I can assist the hon. Member. The thinking behind the question relates to new drugs which are potentially to be regulated, and this I have got from an article in fact in the Times. One of the things that they talked about and that the UK is now making plans in relation to, is the early detection.

2385 So if I can refer to what the article talked about, which is the gold standard, we dealt with rapid diagnosis which involves using either lumbar punctures or PET brain scans to confirm the build-up of toxic proteins in the brain. I think what the hon. Member has told this House is what systems and protocols the Government has in place in the event of somebody presenting perhaps even early symptoms and I accept that.

2390 But this is something different and the concern here is that – and I would want to know – is whether the Government is in the throes of making plans to be able to have earlier detection when there are not any symptoms, so that the individual can best benefit from the drugs, which we expect will soon be available and regulated for supply. I understand that will carry a cost, but I think it was important to raise this across the floor of the House to find out what the Government's position is in relation to future planning in this respect.

2395

**Hon. G Arias-Vasquez:** Madam Speaker, I believe what the hon. Member is referring to as a blood test which will be available in the NHS potentially at a later date.

2400 The service which is available in the GHA today is the same service which is available in the NHS today. If and when the test becomes available in the NHS, we will follow the procedure. At present we follow the NHS protocol for dementia.

2405 **Hon. D J Bossino:** This is not meant to be in any way political in the classic party political sense. But just to press further, I read to the hon. Lady the excerpt – look, it is in the press, you cannot believe everything that is in the press – but I think this was a serious article which talked about, as I said before, the gold standard and it involves lumbar punctures and PETs. It is not a blood test, but the hon. Lady may not have that information with her.

2410 **Madam Speaker:** I would remind the hon. Gentleman that he should not ask questions on the other side to comment whether what is in the press is accurate.

**Hon. D J Bossino:** I was not suggesting that, Madam Speaker. It was simply to challenge what the hon. Lady said in her reply that it is a blood test which the GHA may be considering adopting here should the NHS adopt it in the UK.

2415 But this is something different and this is in effect the earliest possible diagnosis so that individuals can best benefit from the drugs. I would not want to read them because I cannot pronounce the drugs which are going to be available. So I would press her further, whether the Government has any current plans and is following the developments in this particular respect.

**Hon. G Arias-Vasquez:** Madam Speaker, again we follow NHS guidelines. When those tests, 2420 whatever those tests may be, are agreed by the NICE guidelines, Gibraltar will follow suit as it usually does. The GHA follows NHS guidelines.

**Hon. D J Bossino:** Is she currently aware whether the NHS is likely to have guidelines in this respect? I know this is an important point and it is a relevant point and it could actually be 2425 imminent and as far as the Government is concerned I think – well as far as general society is concerned, I think it is an important question to ask because the Government ought to be, if I may say so, making plans in relation to this and also finding out what the potential cost is. It could be actually, I am told, very expensive.

**Chief Minister (Hon. F R Picardo):** Madam Speaker, for reasons that he and I have 2430 unfortunately in common, I am as assiduous a follower of the press articles in the newspaper he has referred to, which relates to Alzheimer's and dementia; and my reading of the articles, and I am assiduous in my reading of them, tells me that the UK is in the process of assessing when it can roll out these tests, which are not just the lumbar puncture, which includes significant risk, 2435 but in particular the blood tests.

Indeed, there is a lot of talk about whether we could have the blood tests earlier and you cannot even have that blood test now, you seek to have it privately, unless you go to Scandinavia because the UK is still some years away from assessing the ability of the NHS to introduce those blood tests.

2440 As the Hon. Minister has already told him, we will follow the NHS NICE guidelines in respect of those potential new early detection mechanisms for Alzheimer's and dementia. Not least because the early detection is what leads you to the ability to intervene sooner and in that way extend the period, if not prevent the onslaught of the very cruel diseases that we are referring to. So he should be assured that the GHA will move as quickly as the NHS moves, and if possible even sooner 2445 to introduce any such test that may enable us to have early detection.

Now, where those tests go beyond the blood test and they stray into the lumbar puncture area, then that involves clinical decision-making because lumbar punctures do involve risk. But neither he, nor the hon. Lady, nor I are clinicians and that is why I think here we have to be led by the clinicians and the advice of clinicians in Gibraltar is you continue with the tests that you have at 2450 the moment, which are the NHS gold standard now; and you continue to pursue the NHS gold standard if that changes and it goes towards the blood test or another test. Because that early detection can lead us to early intervention which can mean that we stave off for a considerable period and hopefully in the future completely, the onset of the disease.

I think we are all exactly on the same page, but three lay people or four, if another one of them 2455 wants to get involved, debating a newspaper article on a clinical issue is not probably the best use of our time if what we want to do is to ensure that we have in this society, as in the United Kingdom and other developed countries, the best and earliest detection of this disease. I am very happy to continue the discussion, not the debate, because it is not a debate with the hon. Gentleman offline, if he wishes.

2460 **Hon. D J Bossino:** I do welcome that, Madam Speaker.

2465 By way of a question I would ask the Hon. the Minister for Health to please look into this, they say that they are and I commit to do the same on our side and if I find any information I will share that with the hon. Member. But I would ask her to do so because in fact this article talks about under newly published planning guidance, the NHS has also revealed it is expecting a surge in demand for GP services and NHS memory clinics if the dementia drugs become available.

2470 So it is that type of planning that concerns us on this side of the House. But if there is any information that I find out there or whatever, and I am sure I speak on behalf of my friend who has responsibility for Health, then we will definitely share this because I think it is important to plan ahead.

2475 **Hon. Chief Minister:** Yes, Madam Speaker, did you read the article yesterday that said that some of those drugs actually could kill you? So I was very heartened when I read some of the articles. I was very heartened when I read in the past three months that the testing was going on and then I was very disheartened yesterday when I read that actually in the same newspaper which I regard with the same level of seriousness – although when they write about Gibraltar one spots the mistakes and one wonders the level of seriousness one should ascribe to anything one reads, even written in good faith – that some of the drugs actually have a side effect which is as negative as the disease itself.

2480 So we have Geriatricians that we pay to deal with these issues that also read the same newspaper that are also on top of it; and although I think we are evincing a common intention across the floor of the House that we should have the earliest possible intervention and the best possible drugs available, I do not think that continuing to debate what we have read in the *Times* is going to advance things at all. But very happy to continue doing so with the hon. Gentleman over a cup of coffee later.

2485

**Madam Speaker:** Next question.

#### Q143/2024 Supplementaries

**Clerk:** Question 159, the Hon. the Leader of the Opposition.

2490 **Hon. J Ladislaus:** Madam Speaker, if possible, may I ask the supplementaries on Question 143?

**Madam Speaker:** Yes, that actually was my intention. Supplementaries in respect of Question 143.

2495 **Hon. J Ladislaus:** Madam Speaker, could the Hon. Minister perhaps distil what is in this table for me? So, could I ask the difference between manning overtime and discretionary overtime on that table?

2500 **Chief Minister (Hon. F R Picardo):** Madam Speaker, those terms are defined and we have had debates at this House on a number of occasions. That is publicly available information.

**Madam Speaker:** If it is publicly available information, then ... Any other supplementaries?

2505 **Hon. J Ladislaus:** Yes, so the question specifically asked how many GHA employees whose basic salary fell over that in the agenda for change had received overtime payments? I have had the amounts received, but I have not had the number of employees and I wonder whether that is all one person that we are seeing on the table, whether the Hon. Minister could confirm?

2510 **Hon. the Minister for Health, Care and Business (Hon. G Arias-Vasquez):** Madam Speaker, I believe that in the second column of the table handed is the number of employees broken down by year.

2515 **Hon. J Ladislaus:** Certainly not in the copy provided to us. We have a column with FY, then we have a pay cap, manning overtime, discretionary overtime.

**Hon. G Arias-Vasquez:** Madam Speaker, I am happy to read out the numbers, that is not a problem.

2520 Financial year 2011-12 there are 39 employees; financial year 2012-13 there are two employees; financial year 2013-14 there are two employees; financial year 2014-15 there are two employees; financial year 2015-16 there are eight employees; financial year 2016-17 there are eight employees; financial year 2017-18 there are five employees; financial year 2018-19 there are eight employees; financial year 2019-20 there are eight employees; financial year 2020-21 there are 10 employees; financial year 2021-22 there are 13 employees; financial year 2022-23 there are eight employees; and financial year 2023-24 there are 11 employees.

2525 **Hon. J Ladislaus:** I am grateful.

In the Agenda for Change it is stipulated that anyone who earns in excess of the set threshold stipulated therein should not be given overtime payments, they should instead be given time off in lieu in place of payments. Can the Hon. Minister therefore confirm the reason why these amounts were paid out to these individuals rather than giving them time off in lieu?

2530 **Hon. G Arias-Vasquez:** Madam Speaker, there have been instances where employees have sought exemptions under specific conditions that warrant surpassing this cap.

2535 **Hon. J Ladislaus:** Can the Hon. Minister perhaps expand upon which such exemptions are sought?

**Hon. G Arias-Vasquez:** Madam Speaker, I do not have that information available with me. I need notice of that question to provide the answer.

2540 **Madam Speaker:** Any other supplementaries?

**Hon. J Ladislaus:** Just one further. So, are there any special circumstances that the Minister is aware of that would engage these exemptions.  
2545 Does she have that information?

**Hon. G Arias-Vasquez:** Madam Speaker, the question relates to the GHA employees whose basic salary is more than the stipulated amount and requests information as to the number of employees and the overtime received for those payments. That is the information that has been provided. Anything over and above that we would need notice of that question.

2550 **Hon. Dr K Azopardi:** Well, of course, we could always give specific notice of every single supplementary. But when we are asking a question about overtime payments received by people and the GHA itself has reached an agenda for change agreement which impacts on the overtime levels, it is surely foreseeable that the hon. Lady may ask a supplementary which asks for clarification as to the nature of the overtime payments made, if they are over the agenda for change payments.

2560 The hon. Lady has, presumably, had an official tell her that there are exceptional circumstances and what we are trying to seek is information about that. So, can the hon. Lady write to my colleague in relation to the matters that she has raised in supplementaries?

2565 **Hon. G Arias-Vasquez:** Madam Speaker, the questions that are being raised are very specific questions on items that go above and beyond the question that has been asked. If the hon. Lady writes to me, I am happy to provide her with that information.

**Madam Speaker:** Next question.

**Q159/2024  
Fireworks (Control) Act –  
Commencement**

**Clerk:** Question 159, the Hon. the Leader of the Opposition.

2570 **Hon. Dr K Azopardi:** Madam Speaker, when will the Fireworks Control Act 2023 be commenced?

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

2575 **Hon. the Minister for Health, Care and Business (Hon. G Arias-Vasquez):** Madam Speaker, the Fireworks Control Act will be commenced on the second quarter of 2024.

**Hon. Dr K Azopardi:** And is there a reason for that specific date?

2580 **Hon. G Arias-Vasquez:** Madam Speaker, it is in order to release PRs, etc. to be able to allow everyone to be aware of the changes that are coming.

2585 **Hon. Dr K Azopardi:** And can the hon. Lady assist me in understanding why it is that it has not been commenced sooner, or that the media that needed to be done was not done previously, because she was not a Member of this House. But this legislation was passed, I think it was some time before the last election, I think it was in the summer. So I just wonder if she has that information.

2590 **Hon. G Arias-Vasquez:** Madam Speaker, that, as the hon. Member rightly points out, predates my time. There was an election in between and we felt it right to allow people sufficient notice and sufficient PR to enable them to get ready for the changes which the Act brings.

2595 **Hon. Dr K Azopardi:** I understand that, the election was of course in October. I do not know if the hon. Lady saw, but there was some speculation on social media as to the impact of fireworks on New Year's Day, on the first, around the housing estates in the context of course the legislation that had been passed in this House and debated which precisely was intended to curb at least some of those risks.

So, will the Minister agree that it is important to ensure that whatever media she is planning gets done as soon as possible so that this Act can be commenced?

2600 **Hon. G Arias-Vasquez:** Madam Speaker, although I am not led by social media, I believe the impact which the hon. Member refers to is a positive impact and of course the media will be done in order to enable, as I have said previously, in order to enable anyone that needs to make

amendments to their business, etc., to have sufficient notice of it in order to be fully aware of the changes that are going to be brought about.

2605

**Madam Speaker:** Next question.

**Q160/2024**  
**COVID boosters –**  
**Numbers administered in 2022-23**

**Clerk:** Question 160, the Hon. the Leader of the Opposition.

2610 **Hon. Dr K Azopardi:** How many COVID boosters have been administered by GHA in 2022 and 2023, respectively, providing the figure for each year?

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

2615 **Hon. the Minister for Health, Care and Business (Hon. G Arias-Vasquez):** Madam Speaker, I will answer this question together with Question 161.

**Clerk:** Question 161, the Hon. the Leader of the Opposition.

2620 **Hon. Dr K Azopardi:** Will the Government agree to make the provision of COVID boosters available to the public at pharmacies?

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

2625 **Hon. G Arias-Vasquez:** Madam Speaker, in 2022 the GHA administered 22,182 COVID vaccines and 954 were administered in 2023. We are in the process of drafting regulations to remove the restrictions currently in place to enable pharmacies to sell COVID vaccines. We will, of course, keep the position under continuous review.

2630 **Hon. Dr K Azopardi:** I see, I am grateful for that.  
The statistic that the hon. Lady has given us on 2022 the 22,182, presumably those were all, well, boosters I suppose, there is no distinction in the stats she has given me. There is quite a disparity between 2022 and 2023 that is why I am asking. There is no distinction in the stats is there?

2635 **Hon. G Arias-Vasquez:** Madam Speaker, I do not believe that there is a distinction in stats. I am speculating here, but I believe the 954 were the tail-end of the winter period of 2022 and the COVID vaccines this year were received in January. So this year the COVID vaccine started in January. I am speculating that is the reason for the discrepancy.

2640 **Hon. Dr K Azopardi:** And in terms of the regulations that they are drafting, are they intending, by virtue of this policy decision, a similar decision to that being introduced in England? So, to liberalise the provision of boosters across pharmacies, is that what they intend to do? And what kind of timescale is the Hon. Minister envisaging?

2645 **Hon. G Arias-Vasquez:** Madam Speaker, we have taken advice from the Director of Public Health and she is indeed following the same liberalisation that they are following in the UK. The

regulations are drafted, so it would be imminent. I do not want to restrict myself to a timescale, but we are looking at an imminent liberalisation of the process.

2650 **Madam Speaker:** Next question.

**Q162/2024**  
**Births in Gibraltar –**  
**Calendar years 2018 to 2023**

**Clerk:** Question 162, the Hon. the Leader of the Opposition.

2655 **Hon. Dr K Azopardi:** Madam Speaker, can the Government confirm the number of births occurring in Gibraltar in each calendar year from 2018 to 2023, inclusive, broken down by calendar year?

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

2660 **Hon. the Minister for Health, Care and Business (Hon. G Arias-Vasquez):** Madam Speaker, the number of births occurring in Gibraltar recorded by the GHA are as follows:  
2018, 380; 2019, 419; 2020, 384; 2021, 416; 2022, 316; 2023, 311.

**Madam Speaker:** Next question.

**Q163/2024**  
**Pharmacy identity –**  
**Name and ultimate owners**

2665 **Clerk:** Question 163. The Hon. the Leader of the Opposition.

2670 **Hon. Dr K Azopardi:** Madam Speaker, what is the name of the pharmacy referred to at paragraph 4.3.2, page 266 of the Principal Auditor's reports for 2016-17 and 2017-18; and what is the name of the entity or the persons that own it and the identity of its ultimate beneficial owners, if an entity?

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

2675 **Hon. the Minister for Health, Care and Business (Hon. G Arias-Vasquez):** Madam Speaker, the name of the pharmacy referred to in the Principal Auditor's report is Totty Pharmacy. Information on the persons that own it is available by accessing the Company's House website in the UK. I can confirm that the GHA no longer purchases any pharmaceutical items from this wholesaler in the UK.

2680 **Hon. Dr K Azopardi:** I see; and what is the reason that the GHA no longer purchases from this pharmacy?

2685 **Hon. G Arias-Vasquez:** I presume that there are other alternatives which have been made which are more beneficial to the GHA.



2690 **Hon. Dr K Azopardi:** I see. That must be a fairly recent decision because the GHA officials are quoted in the Principal Auditor's report as saying that this was the best source of supply and they were very reliable. So I am not sure if the hon. Member can share a bit more information as to why, having been quoted like that or having given that information to the Principal Auditor, the GHA has now changed its mind?

**Hon. G Arias-Vasquez:** Madam Speaker, again, I assume that a better service was found elsewhere. The GHA updates its arrangements quite frequently.

2695 **Hon. Dr K Azopardi:** And is the source of the alternative supply also a UK entity or is it somewhere else? If they were being provided by a UK retail pharmacy, which is this one, is the alternative supply now that they have changed their supplier a wholesaler also based in England, or is it somewhere else?

2700 **Hon. G Arias-Vasquez:** Madam Speaker, once again, I would presume that the wholesaler is based in the UK.

2705 **Hon. Dr K Azopardi:** Does the hon. Member know whether ... This was quite a high cost given in the Principal Auditor's report. Was that the one-off cost to this retail pharmacy or was there a financial intermediary involved? And if so, does she know who that was?

**Hon. G Arias-Vasquez:** Madam Speaker, that was a cost to the pharmacy and there was no financial intermediary involved.

2710 **Madam Speaker:** As I understand it that is the last question.

## Questions for Written Answer

**Clerk:** Answers to Written Questions.

2715 **Chief Minister (Hon. F R Picardo):** Madam Speaker, I have the honour to table the answers to Written Questions W7/2024 to W13/2024 inclusive.

**Madam Speaker:** I see the hon. Member trying to get my attention

2720 **Hon. Dr K Azopardi:** Yes, just for a clarification. Our understanding is they always table the answers to Written Questions at the very end, but we have not finished questions. There are outstanding questions to other Members of the House which are on the Order Paper.

2725 **Hon. Chief Minister.** And who are not here, Madam Speaker, and if they are not here by the time we reach the end of Question Time you get the choice of having those questions answered at the next meeting or orally, but you get asked at that stage.

**Hon. Dr K Azopardi:** My colleague and I are getting up, Madam Speaker, because we were not aware. We were aware that we were adjourning to Monday. I assumed that we were taking the rest of the questions on Monday.

2730 **Hon. Chief Minister:** No, Madam Speaker, we are taking Bills and Motions on Monday. No, the Members are not present now that we are doing questions, they may be back on Monday, but on

Monday we are moving on, we have already moved. (*Interjection*) We have moved from Oral Questions now to Written Questions. Written Questions have been tabled. We are now further on down the Order Paper and when the Ministers are not here to answer questions you get given that choice.

You know that Mr Feetham is not in Gibraltar, he is in Paris; and Mr Cortes is medically indisposed.

**Hon. Dr K Azopardi:** Madam Speaker, the agenda for today indicates that at the close of the Hon. Minister for Health's questions, we were going to adjourn. The hon. Member is about to move the adjournment. We are adjourning to Monday. The other Members are going to be here, the questions can be taken on Monday. Or is this another way of not answering questions?

**Hon. Chief Minister:** No, Madam Speaker, it is not another way of not answering questions. It is a way of giving business efficacy to a House that meets every month. I do not know how many questions Mr Feetham has, I think he may have one or two. I do not know how many the Minister for Education and the Environment has, but he may not be available on Monday in any event.

So, Madam Speaker, when we reach the end of questions, Hon. Members get the choice of being able to choose whether they want their questions answered orally at the next meeting, which is next month; or to have their questions answered in writing, which means they can ask them orally again next month.

That is the position that has always been taken in this House. So we are taking that position. We have actually already moved on, we are now at written questions. I have tabled the answers to written questions. We are now on the next Item of the Agenda.

**Madam Speaker:** In any event (*Interjection*) what the rules provide, as I understand –

**Hon. Dr K Azopardi:** If I may, Madam Speaker, the Agenda does not suggest the close of questions. It suggests we are going to adjourn after the Minister for Health. It does not suggest the end of questions, that is why we have got up.

**Madam Speaker:** What the rules provide is that if any question remains unanswered when the Parliament adjourns on the last day of a meeting then a written answer can be sent to the Member, (*Interjections*) or they can require the questions to be postponed, or they can require the questions to be postponed for oral answers to the next session.

So I suggest we wait till the last day of the meeting and if the questions have been unanswered at that point then we follow the rules.

**Hon. Dr K Azopardi:** No, but of course, Madam Speaker, we will follow the rules but we are we are still in Question Time; that is the point that I am raising, we are still in question time.

The timetable for today suggests that after the Minister for Health, we are going to adjourn. We are still in Question Time when we come back on Monday (*Interjections*) and those questions can be taken then. We are still in Question Time, that is the point.

**Madam Speaker:** We have moved on from –

**Hon. Chief Minister:** The hon. Members can move a motion right now if they like and vote on it, and then on Monday we can have another motion if the hon. Member likes and we can vote on it then. Or, Madam Speaker, we can we can continue to apply the conventions that have always applied in this House, without a problem, and then when we get to the end of the session they can be put to their choice.

Now, Madam Speaker, I have tabled the answers to Written Questions. The only thing that remains is to table the adjournment now for Monday, which I intend to do. Hon. Members can

2785 decide not to adjourn until Monday because they have a majority in this House, because I have a Minister in Paris who is attending to the removal, hopefully of Gibraltar from the FATF blacklist; and I have a Minister who has a medical problem.

2790 If they want to play that game they can decide not to adjourn the House or we can stay here until they are available. Mr Feetham returns late on Friday night and Mr Cortes, no doubt, can be brought down to vote if necessary. So it is up to them: do we adjourn or do we stay here until my majority returns? It is up to them.

**Hon. Dr K Azopardi:** Well, Madam Speaker, (*Interjection*) I am sure we can. We are on a whip-round, Madam Speaker, clearly where we are going to adjourn.

2795 But can I ask, Madam Speaker, because we have got time now till Monday, when we return on Monday, can I ask Madam Speaker, to rule on this issue as to whether we are still in Question Time; and as to whether the questions that we have got on the Order Paper, laid against the other Ministers, can be answered at that point?

2800 **Hon. Chief Minister:** Madam Speaker, if you were going to make such a ruling, I would need to make my own submissions to you because we have now moved. I have tabled the answers to Written Questions now and therefore we have moved on from Oral Questions, Madam Speaker. (*Interjection*)

2805 I have absolutely no intention of taking anything back and, Madam Speaker, you have already indicated what the position is, which is that if we get to the end of the Order of the Day when we adjourn, there is a provision as to how questions are dealt with. That is how it has always been dealt with.

**Madam Speaker:** No, no, I am going to stop this now –

2810 **Hon. Dr K Azopardi:** We have been ambushed on that!

**Madam Speaker:** Because I have said earlier, the way I see it is this: the issue as to whether a question remains unanswered only arises when Parliament adjourns on the last day of the hearing. That is the point upon which, if a ruling is sought, a ruling will follow.

2815 At the moment, Parliament is still in session. The proposal is to adjourn today. We will wait and see what happens on Monday. If the Oral Questions are taken on Monday, then the point becomes redundant. If they are not, and the questions remain unanswered when Parliament adjourns on the last day of the meeting, then I will hear submissions if there are, and if necessary I will rule.

2820 **Hon. Dr K Azopardi:** If you will allow me, because perhaps I have not expressed myself clearly.

2825 I absolutely accept that if we reach the very end of the meeting we have an option. But that is not what I am asking you to rule on. What I am asking you to rule on is whether we are still in the part of the agenda that is Question Time, or we have moved on. Because when the Chief Minister says that we have moved on, it is because obviously he has indicated to the Clerk that he should call the laying of the Written Questions, on which we have been ambushed. That is why I have been surprised, because I got to my feet, because we knew that we were adjourning to Monday but not because he was moving on from Question Time.

2830 So what I am asking you, Madam Speaker, to rule on Monday is whether we are still in Question Time.

**Hon. Chief Minister:** Madam Speaker, I think it has become glaringly obvious to anybody who cares to read the *Hansard* of what has happened this afternoon, whether there is a contract for it or not, that we have moved on to the laying of Written Questions, which happens after Oral Questions. Therefore, Madam Speaker, I think you should resist the call to make an innovative ruling on anything other than just where we are.

Now, it is seven o'clock in the evening; we have finished Oral Questions. I have tabled the answers to Written Questions. (*Interjection*) On Monday we are coming back because they have a motion and we have some Bills that we may have to deal with. So, Madam Speaker, I move that the House should now adjourn to Monday at three o'clock in the afternoon.

2840

**Madam Speaker:** I am not going to rule today whether we are still in Question Time or not, although if you want my tentative view – which I am known for giving in other environments more familiar to me than these – my tentative view is that the Written Answers have already been referred to by the Clerk, and we are at the stage of the Written Answers.

2845

I am not going to commit to that, I am going to think about it over the weekend and I will affirm, or not, that position on Monday. But for the moment I think there is an adjournment to be suggested. It has been moved?

### Adjournment

**Chief Minister (Hon. F R Picardo):** Madam Speaker, I have moved that the House should adjourn to three o'clock on Monday. So as far as I am concerned, I have moved it.

2850

**Madam Speaker:** All right. I now propose the question which is that this House do now adjourn to 3 p.m. on Monday. I now put the question, which is that this House do now adjourn to 3 p.m. on Monday. Those in favour? (**Members:** Aye.) Those against? Passed.

The House will now adjourn to 3 p.m. on Monday.

*The House adjourned at 7.00 p.m.*