



PROCEEDINGS OF THE GIBRALTAR PARLIAMENT

AFTERNOON SESSION: 3.00 p.m. – 7.35 p.m.

Gibraltar, Wednesday, 21st February 2024

Contents

Prayer	4
Confirmation of Minutes	4
Questions for Oral Answer	4
Employment, Equality, Culture and Tourism	4
Q95-97/2024 Bruce’s Farm – Asbestos; privatisation of services; sale	4
Q98-99/2024 Drugs Advisory Council – Proposed work to be undertaken; role and purpose	5
Q100-01/2024 London Marathon event – Plans re manifesto commitment	6
Q102/2024 Upper Rock Nature Reserve – Plans re increasing visits to pre-COVID levels	7
Q103/2024 School leavers not pursuing further or higher education – Pathways available	8
Q104/2024 NEETs – Numbers by gender	9
Industrial Relations, Civil Contingencies and Sport	10
Q105/2024 Europa Sports Complex – Review of Existing proposals related to management	10
Housing and the University of Gibraltar	10
Q164/2024 University accommodation centre – Decision re Europa Point	10
Q165-66/2024 Government housing beyond economic repair – Rent and Repair Scheme; void and unallocated flats	12
Q167/2024 Housing Act, section 34(2) – Intention to prescribe reasons	18
<i>The House recessed at 3.55 p.m. and resumed at 4.02 p.m.</i>	19
Inward Investment and the Savings Bank	19

Q168/2024 Rooke site elderly care home – Update re progress.....	19
Q169-70 and Q177/2024 Public debt; General Sinking Fund balance – Figures for 1st January 2024	23
Q171/2024 Compliance with section 12(b)Gibraltar Savings Bank Act – Whether legal advice sought.....	23
Q172-74/2024 Gibraltar National Mint Ltd – Legal advice re compliance with section 12(b); management fee re admin support by public sector employees; transfer of Gibraltar International Mint Ltd shares to Gibraltar Community Initiatives Ltd.....	23
Q175/2024 – Liquid reserves – Reason for PayPal account noted in Principal Auditor’s report	23
Q177/2024 – Victoria Stadium – Details re any contributions by Government	23
Q176/2024 GBIC Ltd – Payments to subcontractors	29
Health, Care and Business.....	33
Q106/2024 St Bernadette’s nurses’ station – Relocation and amenities	33
Q107/2024 Hillside dementia care facility – Scabies outbreak.....	34
Q108/2024 Governor’s Parade Care Agency building – Potential sale.....	35
Q109/2024 Domiciliary care – Number of complaints received.....	36
Q110/2024 Care Agency and ERS vacant posts – Numbers, details and duration vacant.....	37
Q111/2024 Care Agency employees – Number on fixed-term contracts of less than two years	40
Q112/2024 Care Agency – Permanent and pensionable vacancies filled directly.....	40
Q113/2024 Care Agency care workers – Numbers employed directly and through external companies	43
Q110/2024 Care Agency and ERS vacant posts – Numbers, details and time vacant – Supplementary questions	45
<i>The House recessed at 5.45 p.m. and resumed at 6.03 p.m.</i>	47
Q112/2024 Care Agency – Permanent and pensionable vacancies filled directly – Supplementary questions	47
Q114/2024 Provision of carers to Care Agency and ERS – Subcontracted entities.....	47
Q115-16/2024 Care Agency service provision – Contracts with private entities; monitoring and regulation re service standards.....	51
Q117-19/2024 Meddoc Ltd – Details re contracts in place with any government entity; service agreements and tender documents	56
Q120/2024 Care Agency and ERS – Breakdown of individual overtime expenses	58
Q121/2024 Care Agency Finance Director – Source of remuneration	59
Q122/2024 Autism spectrum disorder – Waiting time for referrals for full assessment	62
Q123-25/2024 Autism spectrum and developmental language disorders – Numbers of children diagnosed; number with dual diagnoses	62
Q120/2024 Care Agency and ERS breakdown of individual overtime expenses – Supplementary questions	64
Q126/2024 Deputysip application process – Guidance notes and support for parents	65

Q127-29/2024 Guardian <i>ad litem</i> – Criteria re proposal of individuals funded by taxpayer money; appointments made in court cases where funded by Government or legal assistance.....	65
Q130/2024 Maritime fuel – Plans for diversification	67
Q131/2024 Electricity generated in Gibraltar – Breakdown by source.....	68
Adjournment.....	72
<i>The House adjourned at 7.35 p.m.</i>	72

The Gibraltar Parliament

The Parliament met at 3.00 p.m.

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

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

PRAYER

Madam Speaker

CONFIRMATION OF MINUTES

Clerk: Meeting of Parliament, Wednesday, 21st February 2024.

Order of Proceedings: (i) Oath of Allegiance; (ii) Confirmation of Minutes – the Minutes of the fourth meeting of the 15th Parliament, which was held on 24th and 25th January 2024.

5

Madam Speaker: May I sign the Minutes as correct?

Members: Aye.

10

Madam Speaker signed the Minutes.

Clerk: (iii) Communications from the Chair; (iv) Petitions; (v) Announcements; (vi) Papers to be laid; (vii) Reports of Committees; (viii) Answers to Oral Questions.

Questions for Oral Answer

EMPLOYMENT, EQUALITY, CULTURE AND TOURISM

Q95-97/2024

Bruce's Farm –

Asbestos; privatisation of services; sale

15

Clerk: Questions to the Hon. the Minister for Employment, Equality, Culture and Tourism. Question 95. The Hon. A Sanchez.

Hon. A Sanchez: Could the Government provide clarification on whether asbestos has been identified in the Bruzon building or the surrounding site?

20

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

Minister for Employment, Equality, Culture and Tourism (Hon. C P Santos): Madam Speaker, I will answer this question together with Questions 96 and 97.

25 **Clerk:** Question 96. The Hon. A Sanchez.

Hon. A Sanchez: Could the Government disclose whether there are any plans or discussions with third parties concerning the privatisation of the services provided in Bruce's Farm?

30 **Clerk:** Question 97. The Hon. A Sanchez.

Hon. A Sanchez: Has the Government made any plans or engaged in discussions with third parties regarding the potential sale of the Bruce's Farm building or the surrounding site?

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

Hon. C P Santos: Madam Speaker, yes, unsurprisingly, asbestos has been identified at Bruce's Farm. The report was commissioned by the Government in August 2021 to ascertain whether this noxious material was present and, if so, if there were any risks that had to be considered as to the management of its presence in the structure. The survey concluded that the risks were minimal and only applicable if the asbestos was disrupted.

In relation to both Questions 96 and 97, the answer is a simple, straightforward no.

45 **Hon. A Sanchez:** Could the hon. Member disclose when the surveyor's report is dated, whether they have acted on the recommendations of this report and what the exact recommendations were?

Hon. C P Santos: The report was dated August 2021. The recommendations were to have a management and inspection programme. This has been implemented and hopefully will continue to be implemented. As long as there is no disruption to the asbestos, all we need to do is monitor and make sure that everything is okay and is currently happening.

55 **Hon. A Sanchez:** In relation to Questions 96 and 97, is the Minister able to confirm that no government official or senior member of any other Department, other than the Care Agency, has held any discussions in relation to privatisation or the sale of the Bruce's Farm building?

Hon. C P Santos: To our knowledge, no, no one has. The privatisation of our healthcare is not something that this Government is considering, especially the rehabilitation service, which needs to be open to one and all.

60

Madam Speaker: Next question.

**Q98-99/2024
Drugs Advisory Council –
Proposed work to be undertaken; role and purpose**

Clerk: Question 98. The Hon. G Origo.

65 **Hon. G Origo:** Madam Speaker, will the Drugs Advisory Council be building on the work undertaken by the Drug Strategy Committee established in 2013 and that of the Advisory Council set up in 2018?

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

70 **Minister for Employment, Equality, Culture and Tourism (Hon. C P Santos):** Madam Speaker, I will answer this question together with Question 99.

Hon. G Origo: Can the Government provide details on the role and purpose of the Drugs Advisory Council, which has only been recently reconvened?

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

Hon. C P Santos: Madam Speaker, by way of information, the Drugs Advisory Council was actually established in 2008, not in 2018 as stated in the original question.

80 The Government has constituted the Advisory Council on the Misuse of Drugs pursuant to section 530 of the Crimes Act and will adhere to the objectives of said Act. The Council will continue to promote the breadth of tasks entrusted to it under said Act, continuing to build upon the work already undertaken by the previously appointed bodies in connection with the misuse of drugs.

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

Q100-01/2024
London Marathon event –
Plans re manifesto commitment

Clerk: Question 100. The Hon. G Origo.

90 **Hon. G Origo:** Madam Speaker, a commitment was made by the Government, on page 62 of its manifesto, to hold a running event by the world-renowned London Marathon. When does the Government intend to host such an event?

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

95 **Minister for Employment, Equality, Culture and Tourism (Hon. C P Santos):** Madam Speaker, I will answer this question together with Question 101.

Clerk: Question 101. The Hon. G Origo.

100 **Hon. G Origo:** With regard to the announced London Marathon event, can the Government explain whether there is a process for attracting such an event to take place in Gibraltar; and, if so, what plans do you have in place to successfully achieve this?

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

Hon. C P Santos: Madam Speaker, we are still in discussions with the organisers of the London Marathon. No date has yet been confirmed.

110 We continuously pursue attracting such events by networking and attending travel trade shows and MICE events, as well as utilising existing links that our colleagues at the GSLA sporting clubs and associations may have. We trust that in doing so we will count with the full and fulsome support of all Members of this House.

Hon. G Origo: Madam Speaker, I am grateful to the hon. Member for his answer to my question.

115 May I put to him this question in the following context? There were running events held for the 2019 Island Games and these included five running road events. Logistically, the road events were complicated to manage at the time. In light of those experiences, what route is the Government considering for the marathon event?

120 **Hon. C P Santos:** The route is decided upon by the London Marathon team. Their idea is an Upper Rock trail event. They have come with an expert team already to have a look at it, and they have seen how it could be possible.

As the hon. Member states, we did road running events at the 2019 Island Games. Were there complications? I am sure there were. Did the events happen? Yes, they did.

125 **Hon. G Origo:** I am grateful. Madam Speaker, I ask that question in the context that when the running events took place in 2019, the airport tunnel was not operational in Devil's Tower Road and it was not a main artery for Gibraltar traffic. With the development of the new, surrounding Eastside estate, should we have thousands of people come to participate in this event, does it mean that the Government expects complete road closures to host the event? How will this, 130 logistically, work given the importance now of Devil's Tower Road to traffic fluidity?

Chief Minister (Hon. F R Picardo): Madam Speaker, I think that question offends the rule against asking questions that are hypothetical. The Minister has said that we have not yet agreed a date with the London Marathon, so it seems to me that we are going down the road of imagining 135 what might or might not happen and how we might or might not prepare the route.

Madam Speaker: Yes, it was a hypothetical question.

140 **Hon. G Origo:** Madam Speaker, I am grateful for that reply. Although I can understand that they are still negotiating dates for these events, surely the Government must have considered what the potential route for this running event would be, despite not having agreed on a date.

145 **Hon. C P Santos:** As already stated, we have not agreed a final date and everything is hypothetical. As I stated in the original answer, this is not the London Marathon, it is a trail run. They have already come, and we have already checked feasibility anyway, but we are to confirm the event.

Madam Speaker: Next question.

Q102/2024
Upper Rock Nature Reserve –
Plans re increasing visits to pre-COVID levels

150 **Clerk:** Question 102. The Hon. G Origo.

Hon. G Origo: Madam Speaker, can the Government confirm how it intends to market and promote Gibraltar as a tourist destination in order to increase the uptake of visits to the Upper Rock Nature Reserve to pre-COVID levels?

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

Minister for Employment, Equality, Culture and Tourism (Hon. C P Santos): Madam Speaker, we continue to pursue our marketing initiatives, promoting Gibraltar via traditional methods as well as digitally and through industry partners. We are updating our Visit Gibraltar brand and targeting different avenues to include the cruising sector, overland tourism, leisure and corporate overnight tourism, events, sports, cultural events and niche special interest groups. We trust that in doing so, we will count with the full and fulsome support of all Members of this House.

Hon. G Origo: Madam Speaker, I am grateful. Thank you to the hon. Member for that answer. The last time we had similar numbers of visits to the Upper Rock Nature Reserve to those of this year, I understand, was in 2006 and 2003, when we had around 730,000 visitors in that single year. Pre-COVID, we hit around one million visitors for three consecutive years in 2017, 2018 and 2019. It almost feels like we are going backwards with tourism. Apart from marketing the Upper Rock, which is evidently not working, does the Government have any plans to invest in the Nature Reserve, or will it just leave it to private industry to pick up?

Hon. C P Santos: I need to correct you on this one because the latest figure matching where we are at now is not in 2006, it is actually in 2013, which was under the number that we have now, and we are only a few thousand away from 2014. We have been going up and, as you said, hitting the million. Then we went down to 145,000 in the first year of COVID. In 2021 we hit 212,000. We more than doubled that to half a million and we have increased by 250,000. So if we are talking about patterns, really we are looking at an increase of, hopefully, the same numbers pre-COVID within the next 12 months. However, this is completely hypothetical, it is only seeing the numbers and where they are going, and we are going up by quarter of a million. The investment in the Upper Rock will be made by the Government, as well as private investors who also want to invest in the tourist product.

Hon. G Origo: Madam Speaker, I am grateful for that answer. With respect to the investment that Government is proposing to the Upper Rock, could the hon. Member please expand on what areas the Government is hoping to invest in for further future tourist attraction?

Hon. C P Santos: The investment in the Upper Rock tourist sites is all within our manifesto. I do not have it to hand right now, but I know off hand that we are investing in the Ape's Den. This is something that my colleague from the Environment, who is not here today, is doing himself under the Environment ... Charles V Wall, and then, of course, it is not the upper Nature Reserve but we are extending our product down to the Northern Defences, which starts from the Moorish Castle, so I will include it on this.

Madam Speaker: Next question.

Q103/2024

School leavers not pursuing further or higher education – Pathways available

Clerk: Question 103. The Hon. E J Reyes.

Hon. E J Reyes: Madam Speaker, can Government provide details of what career developments and future pathways are readily available for young people who leave school between the ages of 16 and 18 and who do not pursue further or higher education?

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

Minister for Employment, Equality, Culture and Tourism (Hon. C P Santos): Madam Speaker, we currently have our training centre available to provide people under this remit with further training on vocational courses. We are currently reviewing this with an aim to expand what is available and provide further scope to 16- to 18-year-olds.

We also continue providing career advice at our employment clinics jointly with the Youth Service for those coming through the Zone programme via the Youth Service, who are then referred to the current employment schemes on offer.

The Youth Service has also embarked on a careers website in order to inform young people on potential future pathways available to them in Gibraltar with reference to employment. We trust that in doing so, we will count with the full and fulsome support of all Members of this House.

Hon. E J Reyes: I am grateful, Madam Speaker. The Minister, in his answer, made reference to the availability of training courses. One takes it that it is through the Training Centres, yet it has been rather a long time since we have received any information and I tend to ... In fact, I over ask and Madam Speaker calls my attention on details and figures of the Training Centres. Is there any programme of new intakes scheduled to commence very shortly at either of the Training Centres?

Hon. C P Santos: We have an intake coming up very soon – hopefully in the spring – after we confirm the employment of instructors that we need, but there is currently a course already running in plumbing. We are also looking at expanding our programme through care work training apprenticeships and looking to further develop the already existing courses into what is currently necessary within the industries.

Hon. E J Reyes: I am grateful for that, Madam Speaker. I will wait two or three months, and then, if I have not seen anything announced publicly, I will ask the Minister further questions about the proposed ... Since he said spring, let's be lenient and wait till June, or something like that.

Madam Speaker: I am not going to commit now to whether I am going to allow any question you may put in two or three months. You can put the question, and if it does not infringe the rule, I will allow it.

Next question.

Q104/2024
NEETs –
Numbers by gender

Clerk: Question 104. The Hon. E J Reyes.

Hon. E J Reyes: Can the Government provide details as to how many young people in Gibraltar between the ages of 16 and 25 are currently not in employment, education or training (NEETs), broken down by gender?

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

Minister for Employment, Equality, Culture and Tourism (Hon. C P Santos): Madam Speaker, the relevant government departments can only provide statistics of persons actively in employment or seeking employment, and the same stands for education and training. Persons not actively registering to seek employment, education or training will not be captured on any statistics. The Government is, therefore, not able to answer the question posed.

We are currently collating information further to the newly created Zone scheme for NEETs, whereby further statistics will become apparent.

Madam Speaker: Next question.

INDUSTRIAL RELATIONS, CIVIL CONTINGENCIES AND SPORT

Q105/2024

Europa Sports Complex –

Review of Existing proposals related to management

250 **Clerk:** Questions to the Hon. Minister for Industrial Relations, Civil Contingencies and Sport.
Question 105. The Hon. E J Reyes.

Hon. E J Reyes: Has there been a review of existing proposals related to the prospective management of Europa Sports Complex since 31st January 2024?

255

Clerk: Answer, the Hon. the Minister for Industrial Relations, Civil Contingencies and Sport.

260 **Minister for Industrial Relations, Civil Contingencies and Sport (Hon. L M Bruzon):** Madam Speaker, discussions regarding the complex's management continue and now include other entities such as those that have expressed an interest in running it, my Ministry, the Chief Secretary and the Financial Secretary. The complex must prioritise the collective interests of the local sporting community whilst balancing other social needs and the creation of quality employment opportunities. I can assure the hon. Member that I am fully committed and determined to reach a conclusion very shortly that will be beneficial to all of our community.

265

270 **Hon. E J Reyes:** Thank you, Madam Speaker. I wish the Minister well in his continued what must be at times a sensitive and complex task. However, is the Minister aware that in the meantime, visitors, sporting personnel or just simply spectators find that a complex that was inaugurated for the 2019 Island Games, less than five years on seems to be rather dirty looking, if one can call it that, with a total lack of maintenance of some of the facilities, and this gives a bad and even embarrassing impression to visiting teams that come over? Would the Minister undertake, as a matter of priority, to ensure that at least the day-to-day running, cleanliness and upkeep of the place is as up to date as possible?

275 **Hon. L M Bruzon:** Certainly, Madam Speaker. Only this morning, I held a meeting with GJBS on the matter: it is being actively looked at.

Madam Speaker: Next question.

HOUSING AND THE UNIVERSITY OF GIBRALTAR

Q164/2024

University accommodation centre –

Decision re Europa Point

280 **Clerk:** Questions to the Hon. the Minister for Housing and the University of Gibraltar.
Question 164. The Hon. D J Bossino.

Hon. D J Bossino: Has the Government come to a decision with regard to the location of the accommodation centre which was originally announced as being earmarked for Europa Point?

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

285

Minister for Housing and the University of Gibraltar (Hon. P A Orfila): Madam Speaker, the Government has not come to a final decision. The project for an accommodation centre could continue at Europa Point or it could relocate to a different site. The outcome depends on the results of a technical study.

290

Hon. D J Bossino: Madam Speaker, is the Hon. the Minister able to state why the location was changed in the first place? This was announced, I think, before the last General Election, with drawings which appeared in the press, I imagine as part of a planning application. It was very specifically set out at the Europa Point area. Can she state why that area became not possible and why it is being reconsidered?

295

Hon. P A Orfila: I am afraid I cannot answer that question. As far as I know, it is to do with the results of a technical study.

300

Hon. D J Bossino: The result of what study?

Hon. P A Orfila: A technical study.

305

Hon. D J Bossino: I would press her a bit more on that, but I suspect that she does not have the answer with her. Is she able to expand on that? She tells the House that it is as a result of the technical study that the decision was made not to proceed with that particular location, although it is still a possibility, she tells us. Is she able to expand on that? If she is not able to do so now, then so be it.

310

Deputy Chief Minister (Hon. Dr J J Garcia): Madam Speaker, I am happy to assist the House with some additional information. The decision has not been taken, so, as the original answer says, the project could still happen at the regional site at Europa Point, or, subject to a technical study, it may be moved somewhere else. That remains the position at the moment, but the decision has not yet been taken.

315

Hon. D J Bossino: As the Deputy Chief Minister has risen, is he able to enlighten us as to what technical issues? If it is a technical study, I imagine there are technical issues which arise. Is he able to enlighten this House on what those technical issues are?

320

Hon. Deputy Chief Minister: Madam Speaker, I am afraid I do not have the exact reasons or the exact detail of the technical study that is under way, but if the hon. Member tables a question in coming meetings, I am sure we will be able to answer that.

325

Hon. D J Bossino: Is the Government able to state when it thinks that a decision will be arrived at? Does he have a timeline available now?

Hon. Deputy Chief Minister: Madam Speaker, the Government does not have a timeline, but it certainly is in the interest of the Government to proceed with this as quickly as possible.

330

Hon. D J Bossino: Given that what is being disrupted, it seems, is the location, irrespective of where we alight on as far as location is concerned, is he able to state that the project, as far as its other features are concerned – for example, room numbers and things like that – the Government

will remain faithful to those, or are those characteristics also the subject of change depending on the location?

335

Hon. Deputy Chief Minister: Madam Speaker, all those details are actually subject to the technical study, which is under way.

Madam Speaker: Next question.

Q165-66/2024

**Government housing beyond economic repair –
Rent and Repair Scheme; void and unallocated flats**

340 **Clerk:** Question 165. The Hon. D J Bossino.

Hon. D J Bossino: Can the Minister for Housing please provide more detail as to how the Rent and Repair Scheme works?

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

Minister for Housing and the University of Gibraltar (Hon. P A Orfila): Madam Speaker, I will answer this question together with Question 166.

350 **Clerk:** Question 166. The Hon. D J Bossino.

Hon. D J Bossino: What is the current number of void and unallocated government flats, broken down into the duration they have been void for and the number of properties beyond economic repair?

355

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

Hon. P A Orfila: Madam Speaker, in answer to Question 165, the aim of the Housing Rent and Repair Scheme is to offer current vacated – principally, but not exclusively, pre-war – government rental properties which have been deemed by HM Government of Gibraltar to be beyond economic repair to persons on the housing waiting list who are willing to incur the costs of refurbishing the properties themselves.

360 It is the Government's intention to offer the Rent and Repair option to persons on the government housing list or government tenants based on their respective position on the
365 government housing waiting list and strictly in accordance with their allocated RKB entitlement, by which they are classified on the government housing waiting list.

A timeframe, termed the repair grace period, will be granted to the potential tenants, where no rent will be collected by HM Government of Gibraltar for the allocated government housing property, conditions of which will be included in the Rent and Repair Scheme Licence Agreement.
370 The repair grace period will be determined based on the works required.

In answer to Question 166, there are a total of 135 void and unallocated properties, 98 of which are beyond economical repair. The breakdown for the remaining properties is in the schedule I now hand over.

Answer to Question 166/2024

Property	Reason for Void / Unallocated	Void Date
1	Legal Action	02/07/2021
2	Legal Action	20/03/2023
3	Legal Action	05/10/2023
4	Legal Action	09/12/2022
5	Legal Action	22/03/2023
6	Legal Action	11/04/2023
7	Legal Action	24/11/2022
8	Ready for Allocation	13/02/2024
9	Ready for Allocation	16/01/2024
10	Ready for Allocation	24/01/2024
11	Undergoing OT works	26/02/2024
12	Ready for Allocation	08/12/2023
13	Ready for Allocation	06/02/2024
14	Ready for Allocation	06/02/2024
15	Ready for Allocation	18/01/2024
16	Ready for Allocation	16/02/2024
17	Ready for Allocation	14/02/2024
18	Refurbishment	24/01/2024
19	Refurbishment	03/01/2024
20	Refurbishment	09/10/2023
21	Refurbishment	13/11/2023
22	Refurbishment	16/01/2024
23	Refurbishment	29/11/2023
24	Refurbishment	07/08/2023
25	Refurbishment	07/08/2023
26	Refurbishment	09/02/2024
27	Refurbishment	02/02/2024
28	Refurbishment	15/02/2024
29	Refurbishment	16/08/2023
30	Refurbishment	07/02/2024
31	Refurbishment	05/02/2024
32	Refurbishment	05/02/2024
33	Refurbishment	16/02/2024
34	Refurbishment	22/12/2023
35	Refurbishment	15/02/2024
36	Refurbishment	15/02/2024
37	Refurbishment	15/02/2024

375 **Madam Speaker:** Would you like to put a supplementary on Question 165 whilst you wait for the schedule?

Hon. D J Bossino: Yes I would, Madam Speaker.

I thank the Hon. the Minister for what I think was a full reply. I would like to digest it a bit further, and indeed I may discuss it with her behind the Speaker's Chair. She will recognise where

380 the wording was extracted from, and it was in the course of an interview that she gave GBC in their radio *Today* programme.

The question that I do have is how one is able to benefit from the scheme. She has said that part of the criteria is that the individual has to be on the housing waiting list, and that is understood, and then she talks about a categorisation in terms of room size. But how does it work?
385 Does it get offered by the Government to the first person on the list? Surely this will result in the incurring of expense by the person on the housing waiting list, although I understand from her answer – I apologise that this is a bit long, because I am trying to digest, as I speak, what she said – that if the individual is ... She said that there is a grace period, so ... Oh, I see, because that individual will be seeking a move from the current accommodation. I see. She is nodding her head.
390 So whilst there would be financial assistance in the sense that that individual will not need to pay the Government rent whilst that person is repairing – all of that is understood – how does the Government choose which person is entitled to participate in the scheme in the first place?

Hon. P A Orfila: Madam Speaker, we do not decide. They come to us and tell us that they would like to have a vacated property which has been deemed beyond economic repair. Then we see where they are on the housing waiting list. We see if they have found, for example, a property that has four rooms, 4RKB, and then we tell them, 'You are on the housing list. You are 33rd,' for example, 'and you only have a complement of 2RKB allocated to you, so you cannot have that property. We are making sure that the property deemed suitable for you is, in fact, okay on our list. If you are down on the list for a 2RKB, you are not going to end up with a 7RKB because you have decided you like this house and you are going to fix it.'

Hon. D J Bossino: I am grateful to the Hon. Minister for that reply, but I am going to press her slightly further on this. If, let's say, I am on the list for a 3RKB and I identify a 3RKB which is beyond economical repair – it is part of the Government's stock in the Upper Town – but I am pretty low down on the list –

Madam Speaker: We are straying, again, into hypothetical situations. I will let you finish the question and then I will comment further, if necessary.

Hon. D J Bossino: It is simply to set out the example, and then I will go to a specific question which is about the criteria. This is why I am pressing the hon. Member about this. Am I able, because, let's say, I have the ability to do it financially – this is a specific substantive point – to jump the queue, so to speak, and improve my position in terms of this because I will get the 3RKB in the Upper Town, whilst the person who has been waiting and, for whatever reason, financially, cannot afford to do so, is disadvantage in that sense? I think she understands and gets the point.

Hon. P A Orfila: Madam Speaker, my vision is to bring life to the Old Town, which is decrepit in areas, and to our houses which have been left and have gone beyond economic repair. My vision is to get people in, to want to fix these things – if you have the means, of course. If you are, for example, 100th on the list and you have the economic viability to take a house like that, which is room component to you etc., then we would look at other people who are in front of you, and if anybody has shown an interest in buying ...

People know that this is out there. People know that there is a Rent and Repair Scheme. It has been on television and I have said it publicly. Therefore, if they are interested, they will come to us and we will then make sure that we know that they are interested. That is how it works. If you have shown an interest, I will put a mark next to your name. If somebody else comes along, we do the same thing. Eventually, when we see that this is what there is, we call you and say, 'Nobody else has shown an interest in this 2RKB in Danino's Passage,' or wherever, 'are you interested?' If you are, and if you have the financial means, you can go ahead.

Hon. D J Bossino: If I have understood that correctly – I know the way I put it was long and the way she has answered it is long as well, but just to put it in these terms using the hon. Member’s example: if I am 100th on the list and therefore, to put it in simple terms, there are 99 people before me, but I happen to meet ... Because of the current policy – we have a different policy, as far as means testing is concerned – it is possible, in this example, that the 100th person has the means, is a multi-millionaire and happens to be on the list. That individual – (*Interjection*) I know it is an exaggeration, but simply to make the point; she, herself, talked about seven bedrooms – would be able to identify the flat, using my example in the Upper Town, and jump the queue. I am trying to put it in as neutral terms as possible. Is that the Government’s position? No. She is shaking her head.

Hon. P A Orfila: No. The queue is not for that. You do not go on the waiting list because you have the means and you are going to go on the hunt for a seven- or eight-bedroom house because you can afford it. No. If you were a millionaire, I do not think you would be on the housing waiting list, for starters. But secondly, you are on the waiting list and it will be when your turn comes up. Like I said, you will have an earmark if you are interested in rent and repair. Do you understand? Thank you.

Hon. D J Bossino: With the greatest respect to her, one may be interested. In other words, I fancy that property in the Upper Town, but I may simply not have the means. The point I am making is that the individual who is just as interested as I am but does have the means jumps the queue if I am, using that example, in an advanced position on the housing waiting list. No?

Hon. P A Orfila: The queue is for rented housing, not for repairing houses. If we have an individual on the waiting list, then he is on the waiting list. If you are interested in a house, then we get it earmarked. The person who is in front of you may not have the financial means to be able to fix the house, and he will remain on the housing ... You do not jump the man because you have the money, you jump the man because nobody else has shown an interest. There could be somebody who is 53rd who has shown an interest in the same house, and because he is ahead of you in the queue, he will get it before you. This is to do with the waiting list. It is not for whoever has the money to come along and buy a house.

Hon. D J Bossino: It is also, presumably, because the Government has taken a policy decision – and I think it is a laudable aim, I must add – to refresh, if I can put it in those terms, the Town area. The Government basically has a property which is beyond economical repair, and what she is telling us is that that can be fixed by the individual who is on the housing waiting list and has the affordability to be able to purchase it. Is that understanding correct? So the feature in this policy is housing waiting list, ability to purchase and also to repair, and the availability of the government unit which is not going to be used because it is beyond economical repair. Have I understood the position?

Hon. P A Orfila: Well done.

Hon. D J Bossino: Ten marks out of 10?

Madam Speaker: You get the marks, but you do not get another question. Next question.

Hon. D J Bossino: I was going to move on to the next question ... [*Inaudible*]

Hon. Dr K Azopardi: Madam Speaker, can I just ask, on this question, what is the yardstick on ‘beyond economic repair’? Is this a financial question? There is a threshold? Is it £20,000, £30,000?

Or is there no threshold but there is an assessment by somebody; and, if so, who is it who makes that assessment and how does that work?

485

Hon. P A Orfila: This works in the same way exactly as when you were in government. There is no other explanation. It is exactly the same.

490

Hon. Dr K Azopardi: I am grateful for that, but I never held the portfolio and so I cannot recall it. Can the Minister respond to my question? If she cannot, she cannot.

Hon. P A Orfila: The answer comes back from the Housing Works Agency, and they are the ones who say that the house is beyond economic repair.

495

Madam Speaker: The Hon. Mr Clinton.

500

Hon. R M Clinton: Thank you, Madam Speaker. May I ask the Minister: is she concerned that the number of properties deemed to be beyond economical repair seems to have increased by over 50% from January 2021, at 63, to the number of 98 that we are being given today? Does the Minister have any concern that the number of properties seems to be increasing for those that are beyond economic repair?

505

Hon. P A Orfila: We have properties going back to 2003. It is because of this that I have introduced this policy, so we can revamp the properties beyond economic repair that we find especially in the Upper Town.

510

Hon. R M Clinton: Madam Speaker, that was not my question. My question is: is the Minister concerned that the numbers of properties have been increasing by 50% in those three years? Is this perhaps because there is no maintenance at all on these properties? Does the Minister have a reason?

515

Chief Minister (Hon. F R Picardo): Madam Speaker, the whole point of what the Hon. Minister has said is to confirm that the Government has a concern and for that reason has introduced a policy. As the Hon. Minister has just said, there was one property dating from 2003, seven from 2004, one from 2005, four from 2006, two from 2008 and two from 2011 – their time in Government – that were beyond economic repair and nothing was happening about them. Then you look at the numbers and they continue to build up to 98. The Government has made a decision that we need to do something about those properties because there are only going to be more of them.

520

The thing that we have done in the past has been to sell the properties. We had a policy, which they knew about and they challenged us on, which was to sell the pre-war properties of the Government because they were, for rental purposes, beyond economic repair. The Hon. the Leader of the Opposition says, 'How is that assessment made? Is it economic?' Well, it is done by the Housing Works Agency. It is done by somebody there who says, 'Look, you are going to spend £35,000,' for example, 'repairing this property to rent it for £80 a month. It does not make sense. Put it in the pool of properties that you consider to be beyond economic repair.' And so you sell it.

525

530

What the Government has now put to the people – as a political party the people have chosen, and we are now, as a Government, implementing – is a derivation of that, so that instead of just selling, out of these 98, the properties, we are also going to give people who have the financial wherewithal to finance the cost of repairing a property – but not, perhaps, the financial wherewithal to purchase a property which is an affordable property, which the Government puts on the market through the affordable housing schemes – the opportunity to repair the properties.

535 Why are we doing that? Madam Speaker, I would have thought it is self-evidently because we have a concern that these numbers are rising. Therefore, the hon. Gentleman's answer, as the hon. Lady has been trying to explain, and as I would have thought is logically self-evident, can only be in the positive: that is to say yes.

540 **Hon. D J Bossino:** Madam Speaker, my supplementaries are related to the question on the Order Paper, Question 166, which deals with this point. I asked the Hon. the Minister a question – I think it was in the November session – about vacant properties, and the answer came back: none. The language I have used for the purposes of this question arises from paragraph 3.4.48 of the Auditor's Report, which has a list using the same criteria that I have used for the purposes of my question about void and allocated properties, of which there were 272, and then, beyond
545 economical repair, 63. Is she able to confirm that from 2021 the position is that the void and unallocated properties have been reduced from 272 to 135, but that the beyond-economical-repair properties have increased from 63 to 98? Have I understood her answer correctly?

550 **Hon. P A Orfila:** Madam Speaker, I do not think that that was a question that I was proposed to answer, so I do not have those answers. What I can tell you is that we have a total of 135 void and unallocated, and 98 which are beyond economic repair. The others which are, at the moment, void and unallocated are either being refurbished or they have legal action and so on. Those are the other 37. The rest are beyond economic repair, and they are going to be repaired by the people who want to take them on board because they have the economic means and they are on the
555 housing waiting list. I explained all that earlier.

Thank you.

Hon. D J Bossino: Is she –?

560 **Madam Speaker:** Last question.

Hon. D J Bossino: Madam Speaker, is she not able to say that these figures that I put to her – and they are in the Principal Auditor's reports – cannot be used, necessarily? I think they can, if I interpret her answer correctly. They cannot be used as a comparator: is that what she is telling
565 the House?

May I also ask her this? This is, presumably, a policy which she has introduced since her time in government, which is only a few months, as I understand it; it is a new policy. Is she able to provide the House with numbers as to take-up? How many people have decided to participate in this scheme?
570

Hon. P A Orfila: Madam Speaker, at the moment, it is early days. We need to embark ... and like I said, I am not going to give the houses to the first person ... You have to be on a list, and we have to make sure that the person who requires it deservedly etc. takes it on board.

If you want any other questions which I have not prepared for you because you did not ask them, please do so in the next session and I will provide the answers you need.
575

Hon. D J Bossino: Is she at least able to say how many people have applied to form part of the scheme? Does she have that information with her? Maybe she does not. Does she have at least an indication of how many people have applied? Or is she telling us that the answer is zero because
580 it is still a policy which is in formation stage?

Hon. P A Orfila: Madam Speaker, yes, I have had people who have already called and are interested, so their names are being taken on board.

585 **Hon. Chief Minister:** You need notice of the question.

Hon. P A Orfila: I need notice of the question.

Madam Speaker: Next question.

Q167/2024
Housing Act, section 34(2) –
Intention to prescribe reasons

Clerk: Question 167. The Hon. the Leader of the Opposition.

590

Hon. Dr K Azopardi: Does the Government intend to prescribe reasons for the purposes of section 34(2) of the Housing Act?

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

595

Minister for Housing and the University of Gibraltar (Hon. P A Orfila): Madam Speaker, yes.

Hon. Dr K Azopardi: Can I ask what reasons they will prescribe?

600

Hon. P A Orfila: Madam Speaker, I am considering prescribing that when an applicant for government housing is allocated a flat, which the allocation is not for the whole family composition for the present household, the conditions stated in section 34(2) apply as it is in the Act for the death of a tenant. However, if the person is moved and he has enough because he wants to move his entire family with him, then he takes his family with him.

605

Thank you.

Hon. Dr K Azopardi: I am trying to understand that. Am I understanding that the intention would be if the person goes to a housing offer, he would go with his family if there is sufficient space, but otherwise that person could stay there? Is that what the Hon. Minister is saying?

610

Hon. P A Orfila: Madam Speaker, it all depends on whether the man who has applied has applied for himself and his wife, and maybe he has children who are 18, 19, 20 and they do not want to move with the parents. Understand? However, if he has applied prior to when his children were young and they have grown within the household with him, then he would, of course, take them with him because he would have applied for a larger house.

615

Hon. Dr K Azopardi: I see. Is there a timescale for the prescribing of these reasons?

Hon. P A Orfila: It depends on how long you have been on the waiting list.

620

Hon. Dr K Azopardi: Sorry, prescribing it – that is what I meant.

Hon. P A Orfila: Well, we are working on it, and this is something I am considering. Thank you.

625

Hon. Dr K Azopardi: As the Minister knows, this is about succession rights as to when a tenant ... People who live in a housing residence have succession rights. The Act is fairly regimented and applies to death or reasons that have been prescribed. It has long puzzled me what the phrase 'prescribed reasons' meant. Just for the people who are listening to the session, 'member of the family' means a son or a daughter of the tenant who has lived with the tenant for

630

not less than 12 months immediately before the tenant's death – so it is obvious that death kicks in there, or departure from the dwelling for a prescribed reason. It has long puzzled me what those prescribed reasons were.

635 In trying to understand that in another capacity, I tried to trace what the legislative source of it was. I just mention it in the context of this question, if I may, to see if the Hon. Minister wants to also take that original source on board in the context of her thinking, because in tracing the source of it, I realised that the source of that phrase 'prescribed reason' comes from a Bill presented to this House by the first GSLP Government in 1991, where the Hon. Mr Baldachino said in the House, of the amendment in particular, in relation to that:

It makes provision for recognising that there are unfortunate families in circumstances which may result in the tenant of protected premises ceasing to live in the premises and where, society in general, recognises that it is equitable to transfer the right to occupy these premises to the families left behind. The kind of circumstances that it is likely to cover are, for example, hospitalisation on a more or less permanent basis, desertion of the family, permanent separation between spouses and, most regrettably, long-term imprisonment.

640 For whatever reason, that did not happen since 1991. Can I ask her also to consider the original intention of the Minister then, to add to the reasons that she has also given?

Hon. P A Orfila: Madam Speaker, a very lengthy question. We are in the process of doing all of this, with all due respect, and you will get it when it is ready. But yes, I am looking at this particular point and I understand exactly where you are coming from.

Thank you.

Madam Speaker: Next question.

650 **Chief Minister (Hon. F R Picardo):** Madam Speaker, I move that the House should now recess for five minutes until four o'clock.

Madam Speaker: All right. We will take a short break until four o'clock.

The House recessed at 3.55 p.m. and resumed at 4.02 p.m.

INWARD INVESTMENT AND THE SAVINGS BANK

Q168/2024

Rooke site elderly care home –

Update re progress

655 **Clerk:** Questions to the Hon. the Minister for Inward Investment and the Savings Bank. Question 168. The Hon. A Sanchez.

Hon. A Sanchez: Could the Government provide an update on the progress of the proposed new elderly care home at the Rooke site, including details of the potential completion date and the entity designated to manage and deliver these services?

660

Clerk: Answer, the Hon. the Minister for Inward Investment and the Savings Bank.

Minister for Inward Investment and the Savings Bank (Hon. Sir J J Bossano): Madam Speaker, as has been previously explained, although I accept that the hon. Member may not be aware of this, the building at Rooke is privately owned and will be privately operated. It is expected that

665

the completion date will be sometime this year, but it has suffered a number of delays in supplies for the non-modular parts. Once it is completed, the Government will take a decision on how it will access or use the facilities.

670 **Madam Speaker:** Any supplementaries?

Hon. Dr K Azopardi: Well just one, if I may. Can the Government inform the House as to the state of discussions that it may be having with the owners/operators of the proposed new elderly care home?

675

Hon. Sir J J Bossano: There are no discussions at this stage. There have been a number of possible completion dates which have not been achieved before, and therefore when it is clear from the internal works that are now taking place that they are near enough to be looking at a potential entity to operate it ... I can tell him we have had two UK companies that are interested in operating the building, which are both companies that have substantial homes in the United Kingdom. But those companies, which are in touch with the owners of the building, are not going to be able to make a judgement about the operation until it is in its finished state. Once the building is complete, there is still a period where the people from the different government entities have to do the final checks – the fire brigade, or whatever it is, they all go through the whole thing. I think that is the period when we will see whether there are people from outside interested in running it, because it is a big facility, and we will see whether we are interested in using it, depending on the circumstances at the time.

680

Hon. Dr K Azopardi: I see, thank you. I had understood – perhaps wrongly, given the Minister's answer – from previous answers he has given in the House that when he had explored, at least in his previous answers, the idea that perhaps they would be paying a rate depending on how many people used it, on a daily rate or something ... I had understood that they were actually in discussions, but from his answer I am understanding that that is not the case, and that was simply thinking that he had shared with us on a previous occasion.

690

Can I ask, in terms of the interest that there is in operating the site, is he aware whether the interest is not only contingent on the completion of the site, but also contingent on the Government being interested in using the site for a number of people?

695

Hon. Sir J J Bossano: In running it, if it was running it for ... not running it for the Government, running it for the owner, but the Government was going to be the main user. The other one has not given an indication that that would be the case.

700

Hon. Dr K Azopardi: A final question, if I may, Madam Speaker. We have also asked before about the possibility of persons who are currently at Mount Alvernia being consulted on the move. Would the Government envisage using it for those purposes, or for other purposes not linked to people moving from the Mount Alvernia site?

705

Hon. Sir J J Bossano: From previous questions and previous answers, the Member knows that at one stage some people in Mount Alvernia took it upon themselves to do a so-called survey, and that produced, I think, interest from five people wanting to move. It is difficult to judge if there are only five or more than five, because that was when the building was at a much earlier stage in its construction. I think we are not going to take decisions until we know what the clear way is ahead, and there is no point in speculating about what we might do or not do.

710

715 **Madam Speaker:** The Hon. D J Bossino is waiting, and then you can –

Hon. D J Bossino: Yes, I am grateful, Madam Speaker. As I understand it, the cause of the delay is in relation to supplies of, as he put it, non-modular parts. Is the Hon. the Minister able to say what the cause of that delay is – why there is a delay in the supply of these non-modular parts? And, if I may, can he expand as to what he means by non-modular parts? One can imagine, but what does he specifically mean by that?

Hon. Sir J J Bossano: The non-modular parts are all the bits that are not modular. The modular ones are the ones that come prefabricated. There is a building that, for example, has foundations: those are not modular. It has a tower built of concrete: that is not modular. There are stairs that have been built: they are not modular. Anything that did not come in the modules that came from China is non-modular and is accessed predominantly from the hinterland and depends on supplies from the hinterland and subcontractors from the hinterland. If it had been an exclusively modular building, then those aspects would not have been there. The modular part was put up very quickly – it arrived, it was unloaded and it was put up, because that is the way with modular things – but of course, this is a building that has aspects that could not be contained within the modular situation, and therefore it has become more difficult to deliver the combined building than we expected originally would be the case from the information that was available to us from the advice that the developers were getting from their architects and so on. It is the first time that this has been tried, so clearly, as normally happens with something you do for the first time, in the course of doing it, you find that there are complications that you did not anticipate.

Hon. D J Bossino: The hon. Member explains what non-modular means, and I am grateful for the answer, but it is a wide gamut. He mentions a few, but I can think of others: windows, electricity and things like that. When he is saying the delay is caused by delays in the supplies, is that one cause? Are all the non-modular parts the subject of delay? Wasn't that factored in when they arrived at an original completion date? I am just trying to understand a bit further what the cause, if there is one cause, of the delay is in relation to the supply of these parts.

Hon. Sir J J Bossano: I think it is self-evident that if it had been factored in at the beginning, there would not have been a delay; the date anticipated would have been later.

I am not the builder, and therefore what I have is second-hand information, but I know that when I have made inquiries at different points in time, people have been waiting for a particular component part of a staircase or access to the roof, or doing the part of the roof that is being done with steel girders, or something that meant that other contractors could not carry on with the work on the site because the bit that was delayed the whole thing.

The entire building is not like a conveyor belt, but there are different contractors. If the people are painting, then you may have 90% of a particular floor finished and there is a delay with 10%, which may have to do with plumbing works and may have to do with something that has been brought from Spain and does not quite meet what is required here, and then the piece is sent back and then the people who have to do the painting cannot do the painting because the whole thing has to be completely finished before they do that. The delays are because there are something like maybe 20 different subcontractors on the site and if one of them has a problem in what they are doing, it sets off a chain reaction and creates a queue of people, because otherwise people would come on the site, start doing something, then have to be taken away and then come back again to do more, which would create a greater delay and more expense. That is the nature of the delays.

Madam Speaker: The Hon. Mr Clinton had a question?

Hon. R M Clinton: Thank you, Madam Speaker, I just have two questions. The first one follows on from the last comment the Hon. Minister made in terms of delays and increased expenses.

Does the Minister have a sense of whether these delays have increased the cost of the construction; and, if so, in what amount?

770 My second question is in relation to the intention as to the ownership of the building itself. When he is talking to these operators, is it factored into the discussion that they will actually purchase the building?

775 **Hon. Sir J J Bossano:** Madam Speaker, in an article the hon. Member wrote, he said that I would have to sell the building, and I answered by saying that the building was not mine to sell and therefore, whether the current owners are going to retain ownership or the current owners are going to sell it to somebody else is not a matter for which I am responsible and is not an answer that I need to give to him in this House.

780 **Hon. R M Clinton:** Madam Speaker, I do not believe I heard an answer to my first question. Second, can the Minister confirm, or not, whether this is still part of his National Economic Plan? I find it hard to accept that on the one hand it is his National Economic Plan, and on the other hand he has no responsibility for it.

785 **Hon. Sir J J Bossano:** I understand the hon. Member has difficulty in understanding. That is why he makes such nonsensical statements most of the time: it is a reflection of his lack of understanding.

790 It is part of the sponsored elements of the National Economic Plan, and the sponsorship is that we provide logistical support and savings from the Savings Bank and, now particularly, from the economic development debentures, which he knows are doing very well. He only asked me once, but I can assure him that [Inaudible] is the same.

795 Therefore, the answer to the question is that that is what we have got in our National Economic Plan: things that are going to be done, but not by the Government undertaking the expenditure, which I thought he would welcome since he constantly believes, as I sometimes do, that the level of spending should not be increasing. It is the programme on which we have been elected. He does not have to approve of it because, of course, he did not want me to get elected. He was one of the Members who presumably was campaigning on the slogan 'Don't vote for Joe', so I know how disappointed he must have been that I have succeeded in being elected.

800 The position is, as I have explained previously, that the National Economic Plan is predominantly a plan that gets the private sector to undertake things which we sponsor because we believe they are in the public interest and which we are not in a position to undertake ourselves. In any case, given their own experience in Government, they actually, before 2011, announced in 2010 that having the plans for their massive infrastructure programme of £1.5 billion operated by the private sector was better than doing it directly as a Government, because in Gibraltar – so the Chief Minister at the time told us – people overcharge the
805 Government, but if you outsource it to a private entity, you get better value for money.

810 **Hon. R M Clinton:** Madam Speaker, we are going to have to agree to disagree as to his responsibility for this project. But first, may I say I have never said to anyone not to vote for him, as I am sure he has never said to anybody not to vote for Clinton.

I will come back to my very first question, which was this: is the Minister aware of whether there is any cost overrun; and, if so, how much?

815 **Hon. Sir J J Bossano:** I am not aware.

Madam Speaker: Next question.

Q169-70 and Q177/2024
Public debt;
General Sinking Fund balance –
Figures for 1st January 2024

Q171/2024
Compliance with section 12(b)Gibraltar Savings Bank Act –
Whether legal advice sought

Q172-74/2024
Gibraltar National Mint Ltd –
Legal advice re compliance with section 12(b);
management fee re admin support by public sector employees;
transfer of Gibraltar International Mint Ltd shares to Gibraltar Community Initiatives Ltd

Q175/2024 –
Liquid reserves –
Reason for PayPal account noted in Principal Auditor’s report

Q177/2024 –
Victoria Stadium –
Details re any contributions by Government

Clerk: Question 169. The Hon. R M Clinton.

Hon. R M Clinton: Madam Speaker, can the Government please provide the total gross debt, aggregate debt after application of the Sinking Fund to gross debt, cash reserves and net debt figures for public debt for the following date: 1st January 2024?

Clerk: Answer, the Hon. the Minister for Inward Investment and the Savings Bank.

Minister for Inward Investment and the Savings Bank (Hon. Sir J J Bossano): Madam Speaker, I will answer this question together with Questions 170 to 175 and Question 177.

Clerk: Question 170. The Hon. R M Clinton.

Hon. R M Clinton: Madam Speaker, can the Government advise the balance on the General Sinking Fund on the following date: 1st January 2024?

Clerk: Question 171. The Hon. R M Clinton.

Hon. R M Clinton: Can the Government advise if it has sought legal advice in respect of its compliance with section 12(b) of the Gibraltar Savings Bank Act; and, if so, from whom and when?

Clerk: Question 172. The Hon. R M Clinton.

Hon. R M Clinton: Can the Government advise whether it has taken any legal advice following the observation by the Principal Auditor in section 3.2.41 of his report to the Financial Secretary on 5th December 2023 that ‘the arrangement approved by the previous Financial Secretary for the royalties to be retained by the Gibraltar National Mint Limited, constitutes diverting revenue from the Consolidated Fund and contravenes section 67 of the Gibraltar Constitution’?

845

Clerk: Question 173. The Hon. R M Clinton.

850 **Hon. R M Clinton:** Can the Government advise whether it agrees with the Principal Auditor in section 3.2.42 of the report that, given the administrative support provided by public sector employees to the Gibraltar National Mint Ltd, 'an appropriately costed management fee' should be charged to the company.

Clerk: Question 174. The Hon. R M Clinton.

855 **Hon. R M Clinton:** Can the Government advise why and for what consideration has the Gibraltar National Mint Ltd transferred its ownership of shares in the Gibraltar International Mint Ltd to Gibraltar Community Initiatives Ltd?

Clerk: Question 175. The Hon. R M Clinton.

860 **Hon. R M Clinton:** Can the Government advise why, in the analysis of the Government's liquid reserves as at 31st March 2017 in the Principal Auditors Report at page 514, there is listed an account at PayPal with a balance of £500,536.94?

865 **Clerk:** Question 177. The Hon. the Leader of the Opposition.

Hon. Dr K Azopardi: Has the Government or any government-owned entity, the Savings Bank or Credit Finance used, spent, contributed or loaned moneys towards the feasibility, planning, development or proposals towards the construction of the proposed new Victoria Stadium from the 1st October 2022 to date; and, if so, how much, to whom, when and in respect of what?

870

Clerk: Answer, the Hon. the Minister for Inward Investment and the Savings Bank.

875 **Hon. Sir J J Bossano:** Madam Speaker, the General Sinking Fund, gross debt and aggregate debt for January 2024 was at the same level as December 2023.

On 1st January 2024, the cash reserves were £60.7 million and net debt was £784.4 million.

The answer to Questions 171, 172 and 177 is no, and the answer to Question 173 is yes.

The International Mint was transferred to Community Initiatives because the company was in a loss-making position for a number of years and had negative value, so no payment was required.

880 The PayPal account with a balance of £500,536.94 as at 31st March 2017 consisted of receipts of revenue collected by the Royal Gibraltar Post Office.

Hon. R M Clinton: Sorry, Madam Speaker, just bear with me while I digest that.

885 I have no questions in respect of Questions 169 and 170. In respect of Question 171, if I understood the Minister correctly, he has not sought any legal advice as to whether he is complying with section 12(b) of the Savings Bank Act, in which case, in the absence of any legal advice, how can he be confident that he is complying with the Act?

890 **Hon. Sir J J Bossano:** The absence of legal advice is because, as far as I am aware, the person who thinks that the clause requires legally that it should be gazetted at a particular time is not giving a legal opinion. This has been happening a very long time and nobody has ever suggested that there was a legal requirement. There is a legal requirement to gazette, but no date.

895 **Hon. R M Clinton:** Madam Speaker, moving on to Question 172, the suggestion made by the Principal Auditor – and in fact it is a quite serious suggestion – is that there is a diversion of revenue contravening the Constitution. I would have thought the Minister would have found that

suggestion somewhat concerning. He is telling the House that he has taken no legal advice on that point that the diversion of revenue is contrary to the Constitution.

900 **Hon. Sir J J Bossano:** I might have found it concerning if it was an opinion of a constitutional lawyer, but I think it is the opinion of one Auditor, which has never been expressed by any other before him. I do not see why I need to take legal advice, because what one particular individual thinks is illegal is not something that is self-evidently illegal and not universally shared.

905 **Hon. R M Clinton:** But, Madam Speaker, this is not just any individual, this is an officer of this Parliament who is the Principal Auditor for Gibraltar. He has raised what is effectively a very serious observation that the Constitution has been breached. Is the Minister saying that, in his illegal opinion, it is not? Certainly for the Principal Auditor to make a comment like this ... It is one which he would not have made flippantly. This is quite a serious comment. Is the Minister telling
910 the House that he does not see any need to take any legal advice? Does he not accept that he runs the risk that, in the absence of legal advice, he is breaching the Constitution?

Hon. Sir J J Bossano: No, Madam Speaker, I do not run the risk of breaching the Constitution because if he is right I have been breaching the Constitution for the last 10 years. The risk is not
915 now, the risk was 10 years ago, and the auditors then did not think that there was a risk.

To put it in context, the breach appears to be, in the mind of the Auditor, the fact that we have created a Gibraltar National Mint that is successfully marketing coins globally and bringing in £1.5 million, when before, the money that was in the Consolidated Fund was £50,000. It is stretching a point to say that we have diverted the money that used to be there, which was
920 £50,000 a year, by doing things in a different way, which generates £1.5 million – and the £1.5 million goes into the Mint, which is owned by the Savings Bank.

If the Principal Auditor was so sure about it, enough to worry the hon. questioner so much, then it seems odd that the question to which I have said yes should be put at all, because the following question which the hon. Member is asking me – Question 173 – asks do I agree with the
925 other thing that the Principal Auditor has said, which is that there should be a management fee charged to the company, and I have said yes to that. It does not make any difference, anyway, because one pocket of the Government is going to get the money and another pocket of the Government is going to pay it. It is an internal transaction and it makes no difference at all to the finances of the Savings Bank or anything else, because the Mint, of course, is owned by the Savings
930 Bank.

If the creation of the Mint is so serious that it is in breach of the Constitution, then, by implication, the Principal Auditor expects the breach of the Constitution to continue because if I were to stop the so-called breach of the Constitution, I would not have to pay a management fee because all the money would be going into the Treasury. So, by definition, Question 173 presumes
935 that my answer to Question 172 is the one that I have given.

Hon. R M Clinton: Madam Speaker, yes, I can see how the hon. Member would try to construe matters in that way, but the fact of the matter is that the National Mint – for which, by the way, we have no audited accounts, so we only have the Minister's word that it is even making
940 £1.5 million, because we have not seen that ... There could be any multitude of arrangements whereby the National Mint can do the marketing but the revenue goes into the Treasury and then it is paid a management fee, so what the Minister is suggesting does not necessarily follow. You can construct any commercial arrangement, if it is deemed necessary for marketing purposes, so that the revenue does go into the Treasury.

945

Madam Speaker: I need to press you for a question.

Hon. R M Clinton: I know, Madam Speaker, but *[Inaudible]* to answer. And so –

Madam Speaker: You will have to put the question.

950

Hon. R M Clinton: My question is really quite simple: does the Minister intend to continue with these arrangements?

955

Hon. Sir J J Bossano: I think I have given the hon. Member a full answer on what my position is. I am saying yes to the possibility of a management fee, which implies necessarily the continuation of the present system. If he thinks that it is something that can be replicated in other circumstances, I will bear in mind his understanding of it and see if there is something useful that I can do with that.

960

Madam Speaker: Next question.

Clerk: Question 176. The Hon. D J Bossino. *(Interjection by Hon. R M Clinton)*

965

Madam Speaker: Well, you were chatting. I looked at you – *(Interjection by Hon. R M Clinton)* Excuse me, I am speaking. I looked at the hon. Member, I did not get a signal from him and I presumed he had finished. If you want another supplementary, you need to get my attention. I will allow you to put another supplementary, but when you are chatting and not looking at me, I may be forgiven for thinking the hon. Member had finished. You can put one more supplementary.

970

Hon. R M Clinton: Madam Speaker, thank you very much. As you are aware, there is a whole bunch of questions that have been lumped together, so it is not just one question I am asking supplementaries on.

975

Madam Speaker: I am not aware whether the hon. Member has finished with his supplementaries, so put the supplementary.

980

Hon. R M Clinton: In respect of Question 174, the Minister said it was loss making. Why would Gibraltar Community Initiatives be interested in acquiring a loss-making entity, which, in fact, Madam Speaker, on 19th March 2021, he led the House to believe served no further useful purpose?

985

Hon. Sir J J Bossano: Madam Speaker, I do not understand why I should be asked why somebody should be interested in buying something or in acquiring something which is not the Government. I suggest the hon. Member writes to Community Initiatives and asks them why they are interested.

990

Hon. R M Clinton: Madam Speaker, was Gibraltar Community Initiatives not part of the Economic Plan? Please do not tell me it sponsors.

995

Hon. Sir J J Bossano: Gibraltar Community Initiatives is a registered charity and is an entity that is registered as a company. It is not part of the Government and it is not part of the National Economic Plan, but we co-operate with it as we co-operate with other elements in the private sector that will be contributing to the prosperity of Gibraltar and providing things for Gibraltar that are in the public interest.

1000

Hon. Dr K Azopardi: As I understood it, Community Initiatives is part of the CSSL structure. Community Supplies and Services Ltd, which he has answered questions about, is the parent. He has said in previous answers on this issue that it is all part of the same National Economic Plan, so he is now giving a completely different answer – isn't that the case?

Hon. Sir J J Bossano: Madam Speaker, if, tomorrow, there are proposals from commercial entities in the private sector or proposals from Gibdock to do things that we think are in Gibraltar's interests and not just in the interests of the entity, then we are prepared to support the proposals and endorse them as sponsored projects in the National Economic Plan.

1005 When the hon. questioner asked me at one stage what projects were going on, he will remember that I listed the projects, which included, for example, the Etioca electric car. In that case, it is a private company with very substantial resources. It has not sought and we have not offered any financial support, but we have offered support in terms of endorsing what they are doing and helping them market the project, showing confidence in the product and assisting them
1010 in that way, something which the hon. Member Mr Clinton thought I should declare an interest in, in the House, because I went, as I explained to him, on a two-day trip to Turin in order to speak to investors. The owner thought that it would create more confidence in the project if I explained the relationship with the Government. When I spoke, I made it very clear that the relationship was not that we were putting money into the company but that we were very happy to have the
1015 company here and we were very confident about the beneficial products that they were putting on the market from the point of view of climate change, because of the nature of the project.

So there we have a situation which is part of the National Economic Plan because the National Economic Plan, which was published in the 2019 manifesto, made very clear that the direction in which we think the economy should be going is one where we concentrate on attracting business that is not labour intensive or land intensive, for obvious reasons: they are the two things we do not have. What we are looking at is having a situation where we bring in companies that have a presence in Gibraltar but basically are using their position in Gibraltar to invest in other countries to create products in other countries, but their presence in Gibraltar will be able to access the very good professional services that we have in Gibraltar, in lawyers and accountants. It is that level of
1020 services which we think is the direction in which the Gibraltar economy should be going.

The National Economic Plan involves sponsoring entities, not necessarily investing in entities. We are not saying we will never invest in any projects as a Government, because we might, but predominantly it will be supporting them. And of course, in the case of investments from the Savings Bank, it is a very important part of the position of the Government in building up the reserves of the Savings Bank. If all the Savings Bank did was to keep the money in cash, as *they* want it to be, then there would be no reserves and there would be no rainy day fund in the Savings Bank. Having explained that many times, they may not like it and they may not want it. We know that it would not exist if they had won the election, because they are against it, but it is fine. I think when there are clear-cut positions between two concepts in economic planning, like there
1030 is in this case, then I think it is good, because then, when the electorate take a decision they decide whether they want the Savings Bank to have all the money in cash losing money, or they want the Savings Bank to be operating making money and having reserves and providing funds, especially now that we have gone one step further and identified a particular debenture, which is the Economic Development Debenture, where people know that the money is going to be used to support economic development. Therefore, the fact that the investor is buying a debenture ... it is not any longer capable of being interpreted by Members opposite as people not knowing where their money is going to be reinvested. They do know and they choose to put it there.

Hon. Dr K Azopardi: Madam Speaker, I could put the philosophical choice in a different way,
1045 but that would require debate and I understand I would be infringing the rules of the House, so I do not propose to do so. Let me try again, because the hon. Member has taken us on a guided tour to Turin, the Pyrenees, the Andes and the Himalayas in his answer but has not answered the question which I asked him, which was about Community Initiatives, part of the CSSL structure. He said, in answer to a previous question in this House, that CSSL would not have existed if it had not been for him. Isn't Community Initiatives part of the Economic Plan?
1050

1055 **Hon. Sir J J Bossano:** Madam Speaker, there are many things that would not have existed if the
GSLP had not been in government between 1988 and 1996. I will not go into all of them because
I think we would run out of time. The reality of it is that when we are taking initiatives, we are
taking initiatives not to enrich a particular sector of the community but to make Gibraltar more
likely to survive in whatever happens in the future. Everything that we do and everything that is
done in the National Economic Plan is intended to ensure that Gibraltar maximises its potential
and that Gibraltar is increasingly able to guarantee the future of future generations in a world that
is increasingly more and more uncertain and more and more dangerous.

1060 The hon. Member seems to be more interested in the full stops and the commas than in the
broader picture. That is what the Plan is all about. The Plan is about survival, and we are doing it
the way we think. They had a different notion. They thought that what they would do is come in
and, to make Gibraltar survive, they would, in effect, make the Principal Auditor redundant
because they were going to spend all their time doing his job, doing investigations and so on,
1065 which was the main thrust of their view of the future.

Hon. R M Clinton: Madam Speaker, I will move on to what will be my last question, but I know
the Hon. Leader of the Opposition has a question. On Question 175, can the Minister advise why
the Post Office had the need to operate an account with PayPal?

1070 **Hon. Sir J J Bossano:** I have to say, to preface the answer, Madam Speaker, that I have no direct
knowledge of this. That is to say that I first became aware of it when he put the question. It is a
historic thing and it appears to have been something that was created when the Savings Bank had
some consultants employed who were dealing with the Savings Bank, and they created this
1075 account to sell postage stamps abroad and to initiate other possible ways of earning money. At
some point after this date, the consultants were no longer retained in the Savings Bank – this was
something we inherited in 2011 – and then the Treasury moved the money from the PayPal
account to the Consolidated Fund. The detailed reason why it was there in the first place is not
readily available to anybody there now, but it is connected with the way the Savings Bank was
1080 being done when they engaged ... David Ledger, I think, was one of the individuals involved, and
it was doing it in order to promote the activities of the bank and using the PayPal account to do
it. That is all I can tell him, because I do not know any more.

Madam Speaker: Next question.

1085 **Chief Minister (Hon. F R Picardo):** Madam Speaker, before the House continues, can I just
clarify that in relation to Question 177, the answer that was given is in relation to the Savings Bank
and Credit Finance and I will answer a question on the Order Paper from another Member in
relation to the Government and the government-owned entity?

1090 **Hon. Dr K Azopardi:** All right, and I am grateful for the clarification, but given that, and for the
purposes of the record – because I have read the question which includes ‘the Government or any
government-owned entity – can I just ask, in terms of this supplementary, would the no change
into a yes when the Chief Minister answers the subsequent question, because my question
1095 includes ‘the Government’ and ‘government-owned entities’?

Hon. Chief Minister: Madam Speaker, the answer that has been given has been given. Because
of the reference to the Savings Bank and Credit Finance, the question went to the Hon. Minister
for the Savings Bank and he has given the answer for the Savings Bank and Credit Finance. The
1100 answer in relation to the Government and government-owned entities will be in the answer that
I give with the other question. I do not want to answer it now because I would be anticipating the
answer to that question too.

1105 **Hon. Dr K Azopardi:** I understand that, but my question is not restricted to the Savings Bank and Credit Finance, so perhaps we can do this ... If I may suggest, Madam Speaker, that the supplementaries on this question be taken with the supplementaries on that question, because the answer might not be no, and that would provide an incorrect answer to the question that I framed.

1110 **Hon. Chief Minister:** That is exactly why I got up, to ensure that the answer does not reflect something which is incorrect, and so that the hon. Gentleman can, therefore, in my view, put his supplementaries in respect of the first entities identified in this question in respect of the other question when the time comes.

1115 **Madam Speaker:** Yes, I will allow supplementaries on that when the time comes.

1120 **Hon. Dr K Azopardi:** I am grateful for that, Madam Speaker, but given the answer that I have put, can I also invite the Chief Minister to perhaps reflect on whether the answer to my question should be in the way that the Minister gave it, or at least ...? He said the answer to Question 177 is no. I think perhaps it should be said that the answer to Question 177 is no to the extent of the Savings Bank or Credit Finance, for the record.

Hon. Chief Minister: That is exactly what I got up and said, Madam Speaker.

1125 **Madam Speaker:** Next question.

Q176/2024
GBIC Ltd –
Payments to subcontractors

Clerk: Question 176. The Hon. D J Bossino.

1130 **Hon. D J Bossino:** Is the Government aware that GBIC Ltd is defaulting on its payments to its subcontractors?

Clerk: Answer, the Hon. the Minister for Inward Investment and the Savings Bank.

1135 **Minister for Inward Investment and the Savings Bank (Hon. Sir J J Bossano):** The Government is aware that GBIC has had a cashflow problem because of the delays and subcontractors' work, and therefore is behind the schedule of payments to a number of contractors for that reason.

1140 **Hon. D J Bossino:** Is the hon. Member able to elucidate this House as to the cause of the delays? I wonder if it is to do with the non-modular-parts answer that he provided in respect of the other question on the Order Paper.

Hon. Sir J J Bossano: Yes, Madam Speaker, this is, in fact, the result of the situation I explained earlier.

1145 The modular parts that constituted about £50 million were paid after they were delivered in Gibraltar. There are a number of different entities that have to be paid by GBIC, which is the main contractor, and GBIC, in turn, has to be paid by the developer. When the developer is short of money, then GBIC is short of money because, like any other project that enters into a period of delay in the delivery that was originally programmed, it means that there are many non-productive elements that continue beyond the original time that was expected. The company still

1150 has to pay the people who are providing health and safety, the people who are coming on site to
evaluate the work that has been done, the architect's representative ... All of those are still
charging substantial amounts every month because this is taking longer than was originally
planned. That means that they have a cashflow problem. Of course, the entity investing also has
a problem because at the moment they are recuperating some money from some other projects
1155 that have been done. It is not that people will not get paid, but it is taking longer to pay them than
we expected would be the case.

Hon. D J Bossino: As far as I am concerned I mean I... to my friends here to my left, as clear as
mud, with all due respect to the hon. Member. In simple terms, because it is looking rather messy
from this side of the House, can he say what is the root cause of the delay in payment, which also
1160 seems to be having an effect in terms of the completion of the project? We are getting increasingly
worried. The answer that the hon. Member is giving us is not giving us comfort, so is he able to
say what is the root cause, which seems to be having – this bit I think I have understood – a domino
effect in terms of supplies, completions and payments?

The reason why I ask this question is because I have, I think, very good information from a
1165 particular local subcontractor who is providing particular goods in Gibraltar – the hon. Member,
in answer to the question that was posed recently, talked about supplies from Spain, but this is a
local service provider who has provided a service to GBIC – and has not been paid since October.
I am told that there are other companies in Gibraltar who are suffering the same fate, so is he able
to please state what is the root cause, and is he concerned at all? He does not seem to be, but is
1170 he concerned at all about the overall viability of this project?

Hon. Sir J J Bossano: I am not concerned about the overall viability of the project. Of course, I
am concerned that it should be delayed as it is, and I am concerned that we should have found
that the integration of the modular system into the design that was produced originally for a non-
1175 modular building has created a number of technical problems which have led to delays in different
areas of the building, and those delays have set off a chain reaction that has affected other people,
but the building will be finished and everybody will be paid. Of that, I am sure.

Hon. D J Bossino: The hon. Member talked about a cashflow problem which emanated, I think
1180 he said, from the developer, and the developer, as far as we understand it, is this company – and
I will use the acronym – CSSL Ltd, which is the famous company which forms part of the National
Economic Plan, which I think is fed from the Savings Bank, for which the hon. Member is
responsible. So is he able to provide us further details in relation to that? What is the ultimate
cause of the cashflow problem? As the Hon. Leader of the Opposition says, how is it possible that
1185 CSSL – which is fed, in terms of finance and funding, by the Savings Bank – has cashflow problems?

Hon. Sir J J Bossano: It is very simple why they should have cashflow problems: because the
money that they originally obtained is not enough to meet the cost, because the delays increase
the cost. What is so strange about that?
1190

Hon. D J Bossino: Madam Speaker, is the hon. Member able to state by what amount the cost
has increased? I am not sure whether we have this figure available; we can get it from *Hansard*, I
am sure. We have asked the question and the hon. Member has provided it. If he has the answer,
then I would ask him to provide it across the floor of the House today. Is he saying that, from what
1195 I understand, project was budgeted at £x million and now it is costing £8 million plus-plus? We
want to know what that plus-plus amounts to. This is very worrying indeed, because ultimately
this is Savings Bank money.

Hon. Sir J J Bossano: Madam Speaker, the fact that the funding is from the Savings Bank ... The
1200 Savings Bank provided the money that was requested. If, at some point, the other sources of

1205 money that the entity has are not enough to be able to pay at the completion of the project, then
no doubt they will come and tell the Savings Bank that they need more money. As far as I am
concerned, at this stage they have not asked for more funding and therefore I ... That is all I can
tell him. I am not here to say at what stage they are in terms of their original funding, how much
of it they have already spent and how much they need to spend. As the person responsible for the
Savings Bank, I am satisfied that the value of the building is more than sufficient security for the
money that we have already made available. If the entity that is paying GBIC, which has other
sources of funding, comes to the Savings Bank in order to obtain further funding to complete the
project, then it will be looked at, and then we will know and see how much more they need, but
1210 they are not at that stage at this moment.

Hon. D J Bossino: The hon. Member continues to express confidence that it is going to be
completed. The hon. Member continues to express confidence, because of the value of the
building, that it will provide a positive return for investors. Good. It provides us some comfort,
1215 subject to issues of transparency, which is really the blue line that separates Members opposite
and us: the lack of transparency and the obfuscation which we are subjected to every time we ask
questions in relation to this matter and the National Economic Plan.

Is he able to please state what was the original borrowing that was asked for and given from
the Savings Bank through CSSL? I think I have phrased that question correctly.

1220

Hon. Sir J J Bossano: [Inaudible]

Hon. Dr K Azopardi: Can the Minister give us the size of the cashflow problem? I think he said,
in answer to one of the supplementaries, £15 million. I do not know if he meant that that was the
size of the cashflow. Was it £15 million or £50 million? Or was it a different sum? He said if CSSL
cannot get money from its other sources' – I do not know what those other sources are; perhaps
he can illuminate us – they will go to the Savings Bank. Well, presumably they may end up at the
Savings Bank, because wouldn't the bottom line be that the subcontractors would not get paid
unless there is additional money injected somehow to deal with the cashflow problem, whatever
1230 the size of the cashflow problem is?

Hon. Sir J J Bossano: Fifty million is the money that was spent in obtaining the modular units,
which is probably less than half the total cost because there have been foundations under this. I
suppose about one third of the building is non-modular.

1235 The question of other sources: it is not for me to tell the hon. Member where the developer
may be getting other funding from. I am answering him in respect of the relationship between the
Savings Bank, which has provided the funding, and GBIC, which is in fact delivering the product.
The position is that this is a question about GBIC, not about anything else, and the problems of
GBIC. The problem of GBIC, as I have explained already in supplementaries to this and to the other
1240 questions, is that when there is an element in the structure that requires something to be brought
from Spain which has to be manufactured to the specification of the building, until that element
is brought and put in place, the delays that other people who are doing other kinds of work, who
are normally local subcontractors – we have somebody doing the electrical work, somebody doing
the plumbing work, somebody doing mechanical work, and other people are doing painting work;
1245 there is no one company doing everything ... The fact that they are then not able to continue with
the work produces costs because of the delay. I have already explained that several times.

If what the hon. Member wants is to have the opportunity to say that I am obfuscating and not
answering questions in this Parliament, in the 53 years that I have been here, Oppositions do not
always get the answers that they want to the questions. They are entitled to put questions, as I
was when I was on that side, and when I was there I had to put up with the answers that I got,
1250 whether I liked them or not. That regime has not changed just because they have changed sides.
I think I have told them as much as I can tell them, Madam Speaker.

1255 **Hon. Dr K Azopardi:** Madam Speaker, first of all, I did not accuse the hon. Member of obfuscation *yet*. It was done in the preceding question, so that tail end was not – (*Interjection*) Yes, the preceding question.

Let me ask him again because he has not answered my question, with respect. I asked him does he know what the size of the cashflow problem is. So I am asking him again: does he know what the cashflow problem is?

1260 He says he does not know what the other sources of funds of CSSL are, but GBIC is a company in which the Government has an interest. CSSL is his creation. Does he really not know the sources of funding of CSSL?

1265 **Hon. Sir J J Bossano:** It is not my creation in the sense that I am involved in its operation. I am not answerable in this House for anything that does not have to do with the Government. The company has a problem because there are things that are delayed, and things that are delayed cost, as I have explained to him and to other Members already. I will repeat the answers because the questions are being repeated, Madam Speaker.

1270 We have people who were supposed to be getting £4,000 a month for coming on the site for a few hours. There are a number of local professionals that GBIC has bought services from, who come on site to look at the work and make sure that everything is being done properly, making sure that the money that has to be paid is the correct amount, and those people, since the project is taking longer, are collecting fees for longer. As long as the site is in operation and not finished, there are all these entities, which are service providers, not providers of construction, that are adding a cost that would not be there because if it had finished earlier they would not be there. 1275 That is where the cost element is increasing more, because in other cases, unless, for example, the fact that a price was quoted at a certain point and the product is not obtained then and is obtained six months later, that can also mean that the price has gone up because of that. But in terms of the actual work that they do – that is to say the people who are putting in the cables for the electricity will charge the same price, whether they do it early or later – it does not create a cost. The cost element is things that may have gone up in price because we had to buy them later, 1280 or the fact that there are people who are providing services which they would no longer be providing if the project had been finished.

1285 **Madam Speaker:** I am going to allow another supplementary if it is a new question and not the same one put, because otherwise we are going to never finish. So if it is a new question, put it. If it is the same question, let's move on.

1290 **Hon. Dr K Azopardi:** Can I can I put it in this way and Madam Speaker can then adjudicate on whether or not you think it is a question that should be answered? The Hon. Minister has given a long answer as to the causes of the delay, and he said in the preface to his answer that he has answered all that before. I am not asking him about the causes of the delay, I am asking him about the size of the cashflow problem. Is the answer to the question that he does not know the size of the cashflow problem?

1295 **Hon. D J Bossino:** Or he is not answering it.

1300 **Hon. Sir J J Bossano:** Madam Speaker, I do not understand the notion of the size of the cashflow problem. If you get a bill for £100,000, and when you get the bill you have £50,000, then the size of the cashflow problem in respect of that £100,000 is 50%. In respect of the size of the building, it will be 1%. So the bills that some people are not being paid ... and they are not being paid because at the moment that they are asking for that money, the company that has to pay GBIC owes GBIC money. The moment GBIC gets paid, GBIC pays the subcontractor. It is as simple as that. Whether that will have a big impact on the final price, on the basis of the nature of the delays

1305 that are taking place, I think no, it will not cost twice what we thought it was going to cost. I think it may be a 10% increase.

Madam Speaker: If it is a new question, yes.

1310 **Hon. R M Clinton:** Thank you, Madam Speaker, a very brief question. GBIC is a Government joint venture company with a Chinese construction company. Can the Minister tell the House whether there is any dispute between the developer, who I understand is Community Supplies and Services, and GBIC?

1315 **Hon. Sir J J Bossano:** The relationship between GBIC and the developer is much more cordial than the relationship between that side of the House and this one.

Madam Speaker: Next question. *(Interjection by Hon. D J Bossino)* One more before it is time to move on.

1320 **Hon. D J Bossino:** I thank you for your indulgence, Madam Speaker. When the Hon. Minister first announced this project he was extolling the virtues of the type of construction, that it was modular, and he was very excited and engaged with it precisely because of speed to delivery. Is there anything that he thinks he would have done differently?

1325 **Madam Speaker:** That is hypothesis, if ever there was one. No, I am not allowing that question. *(Interjection by Hon. D J Bossino)* Well, I think it is.

Hon. D J Bossino: It is born from the statements that the hon. Member –

1330 **Madam Speaker:** No, I am not allowing the question. It is a hypothetical question. We are moving on to the next question.

HEALTH, CARE AND BUSINESS

Q106/2024

St Bernadette's nurses' station – Relocation and amenities

Clerk: Questions to the Hon. the Minister for Health, Care and Business.
Question 106. The Hon. A Sanchez.

1335 **Hon. A Sanchez:** Could the Government clarify whether the nurses' station in St Bernadette's has been relocated in the past two years; and, if so, can clarification be provided on whether the new designated room is equipped with all necessary amenities, including a panic button?

1340 **Clerk:** Answer, the Hon. the Minister for Health, Care and Business.

Minister for Health, Care and Business (Hon. G Arias-Vasquez): Madam Speaker, the nurses' station was moved two years ago from the entrance of the building to the back of the building. The reason for this was to accommodate the growth in service users in the centre and to have a base for all the Learning Disability Services nurses to work together. The move allowed for a new base room that could also be used for pampering and well-being sessions to be created at the

entrance. It also provided better access for service users living in community flats to access the nursing service without having to go through St Bernadette's, facilitating an increase in infection control.

1350 The nurses' station is equipped with all necessary equipment and includes a panic alarm button. A general examination couch is planned for a treatment room. Observations are currently taken wherever convenient for both the staff and the user, and determinations are made by the staff on whether any follow-up is required.

1355 **Hon. A Sanchez:** Could the hon. Member clarify whether there has been a period, within the time where the room has been changed, when the room has been without a panic alarm button?

Hon. G Arias-Vasquez: Madam Speaker, not as far as I am aware.

1360 **Hon. A Sanchez:** Could the hon. Member also clarify whether the access between the room where the nurses' station is now based and the main area where the service users spend most of their time during the daily activities is an easy-access one without any obstacles, or whether there is a door with a code in between these areas?

1365 **Hon. G Arias-Vasquez:** Madam Speaker, I need notice of the question in order to attend the facility to see for myself.

Madam Speaker: Next question.

Q107/2024
Hillsides dementia care facility –
Scabies outbreak

Clerk: Question 107. The Hon. A Sanchez.

1370 **Hon. A Sanchez:** Could the Minister provide information regarding the recent scabies outbreak at Hillsides dementia care facility, including whether the source of the outbreak has been identified and what measures have been implemented to prevent similar outbreaks in the future?

1375 **Clerk:** Answer, the Hon. the Minister for Health, Care and Business.

Minister for Health, Care and Business (Hon. G Arias-Vasquez): Madam Speaker, patient zero – the first carrier identified who had contacted scabies – was a staff member. In total, seven residents and three staff tested positive. Additionally, eight residents and 47 staff were treated as close contacts, as well as one relative. This is all as per Public Health protocols.

1380 We have undertaken increased awareness of symptoms for staff and facilitated rapid access to treatment and exclusion from work until treated. We have undertaken proactive work with the nursing and care agencies to ensure that line managers and staff are aware of symptoms and treatment requirements.

1385 We have provided additional information for the public regarding the signs, symptoms and treatment options for scabies on the GHA website. The Director of Public Health has chaired three Community Outbreak Control team meetings during 2023 and two outbreak meetings for the Hillsides outbreak.

Hon. A Sanchez: Could the hon. Member confirm whether scabies is still prevalent at the Hillside dementia care facility, or whether the problem has been eliminated for the moment?

1390

Hon. G Arias-Vasquez: Madam Speaker, as far as we are aware, the outbreak is under control.

Madam Speaker: Next question.

Q108/2024

**Governor's Parade Care Agency building –
Potential sale**

Clerk: Question 108. The Hon. A Sanchez.

1395

Hon. A Sanchez: Has the Government made any plans or engaged in discussions with third parties regarding the potential sale of the Care Agency building in Governor's Parade?

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

1400

Minister for Health, Care and Business (Hon. G Arias-Vasquez): Madam Speaker, as mentioned by the Chief Minister last month, the Care Agency building in Governor's Parade will be vacated with staff relocated to new offices during the course of this year. The Government will, thereafter, make an announcement regarding its plans for this building in due course.

1405

Hon. A Sanchez: Could the hon. Member elaborate on where the Government plans to move the staff of the Care Agency to?

Hon. G Arias-Vasquez: Madam Speaker, I can confirm that we are engaging with the Care Agency for this move, and the move will be in the area of the dockyard.

1410

Hon. A Sanchez: Could the hon. Member confirm whether the Government is already renting these premises in the dockyard?

1415

Hon. G Arias-Vasquez: Madam Speaker, I would need advance notice of that question.

Hon. A Sanchez: Would the Government know who the landlords of these premises in the dockyard are, seeing as they know that they will be moving the members of the Care Agency there, as mentioned now by the hon. Member?

1420

Chief Minister (Hon. F R Picardo): The Government knows, Madam Speaker, and the Opposition knows because we have debated this already.

Hon. D J Bossino: Simply by way of clarification, Madam Speaker, are we talking about the Bassadone building? We have asked questions about this in the past, but we have not alighted on which government departments are moving to the Bassadone building. Can he confirm that the Care Agency will be moving to the Bassadone building?

1425

Hon. Chief Minister: Madam Speaker, I talked about the landlord, not the name of the building. The hon. Gentleman seems to have named the building. The answer that he got last time was that

1430

we were determining which Departments were going to the building that is owned and managed by that landlord. We are now able to confirm this is one of them.

1435 **Hon. A Sanchez:** But the hon. Member cannot confirm whether the space is being rented by the Government?

Hon. Chief Minister: Madam Speaker, it is not that the hon. Member cannot confirm whether or not it has been rented, it is that the hon. Lady has asked whether the space is already rented. A rent is an amount paid at a periodic interval, which is a specific amount for a defined area of
1440 land which has already kicked in. Therefore, we need notice of the question in order to be able to confirm specifically that those arrangements have been entered into.

I know and I have shared with the Hon. Minister that the date which enables all of these arrangements to kick in has not yet passed. For that reason, if the hon. Lady wants an answer to the question of whether or not the property is rented, we would have to go back and check which
1445 documents have been executed or whether they fall to be executed for a particular date when the rent starts to be paid.

It is never useful to give an answer from memory and I caveat my answer on that basis, so that if it is not accurate I am not accused of having misled the House, but from memory I believe that the rent does not kick in until after 1st April.

1450

Madam Speaker: Next question.

Q109/2024
Domiciliary care –
Number of complaints received

Clerk: Question 109. The Hon. A Sanchez.

1455 **Hon. A Sanchez:** Could the Government disclose the total number of complaints received by the Care Agency from family members or the general public regarding domiciliary care?

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

1460 **Minister for Health, Care and Business (Hon. G Arias-Vasquez):** Madam Speaker, during the month of January, the Care Agency has received one complaint from a family member regarding domiciliary care. The complaint received was in relation to a request for a specific time and the hour not being available. The Care Agency has also received four complaints from clients regarding their own domiciliary care. These complaints were investigated and three were resolved immediately. The remaining complaint continues, as there are minimum English-speaking carers
1465 available.

Hon. A Sanchez: Could the hon. Member elaborate on how these complaints are logged and documented, and who investigates these complaints?

1470 **Hon. G Arias-Vasquez:** Madam Speaker, I am not aware of who investigates the complaints, but I am aware that there is a log that is kept with the complaint and the manner in which the complaint has been resolved.

Hon. A Sanchez: Would the hon. Member happen to know whether the complaints are investigated independently, or are they investigated in-house by the Care Agency?

1475

Hon. G Arias-Vasquez: Madam Speaker, given that it is the Care Agency that receives the complaints, I would assume, and it is an assumption, that the Care Agency receives the complaints. The documents that show me the logs are Care Agency documents and they are independently reviewed on a case-by-case basis.

1480

Hon. A Sanchez: Independently reviewed by whom?

Hon. G Arias-Vasquez: Madam Speaker, as I have just said, I assume that it is by the Care Agency, given that the document I have produced is by the Care Agency.

1485

Hon. A Sanchez: So they are not independently investigated?

Hon. G Arias-Vasquez: Madam Speaker, not to my knowledge.

1490

Madam Speaker: Next question.

Q110/2024

Care Agency and ERS vacant posts – Numbers, details and duration vacant

Clerk: Question 110. The Hon. A Sanchez.

Hon. A Sanchez: Can the Government furnish a breakdown of the existing vacant posts in the Care Agency and Elderly Residential Services, including details on the position and the duration of each post unfilled?

1495

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

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

1500

Answer to Question 110/2024

Answer to Question 110

CARE AGENCY

GRADE	FULL TIME	PART TIME	DURATION UNFILLED
<u>Admin Grades</u>			
Executive Officer	2		i) 1 year 6 months ii) 6 years
Administrative Officer	3		i) 6 months ii) 6 months iii) 3 months iv) 5 months
Training Coordinator	1	1	i) 2 years 10 months
Personal Secretary	1		i) 7 years
<u>Professional and Other Grades</u>			
Head of Service	1		i) 4 years
Team Manager	2		i) 1 year 2 months ii) 1 year 10 months
Senior Social Worker	5		i) 4 years 9 months ii) 4 years 9 months iii) 4 years 9 months iv) 4 years 9 months v) 4 years 9 months
Social Worker	1		i) 1 year 6 months
Assistant Social Worker	1		i) 2 years 10 months
Newly Qualified Social Worker	1		i) 10 months
Counsellor	1		i) 2 years 2 months
<u>DISABILITIES – Dr Giraldi</u>			
Deputy Manager	1		i) 1 year 1 month
Charge Nurse	1		i) 1 year 7 months
Registered General Nurse	3		i) 2 years 2 months ii) 3 months iii) 1 year 1 month
Care Leader	1		i) 5 months
<u>Disabilities – St Bernadette’s</u>			
Registered Nurse		1	i) 1 year 5 months
Enrolled Nurse	1		i) 1 year 1 month
Care Worker		1	i) 5 months

<u>Children's Services</u>			
Senior Care Worker	4		i) 1 year 2 months ii) 5 years 7 months iii) 4 years 9 months iv) 4 years 9 months
Care Worker	3		i) 2 months ii) 3 months iii) 4 months
Teacher	1		i) 8 years 8 months
<u>Drugs and Rehabilitation Services</u>			
Care Worker	3		i) 6 years 6 months ii) 6 years 5 months iii) 6 years 3 months
Registered General Nurse	1		i) 1 year 5 months
<u>Industrials</u>			
Hybrid Labourer		1	i) 6 years 3 months
Caretaker	1		i) 3 months

<u>Children's Services</u>			
Senior Care Worker	4		i) 1 year 2 months ii) 5 years 7 months iii) 4 years 9 months iv) 4 years 9 months
Care Worker	3		i) 2 months ii) 3 months iii) 4 months
Teacher	1		i) 8 years 8 months
<u>Drugs and Rehabilitation Services</u>			
Care Worker	3		i) 6 years 6 months ii) 6 years 5 months iii) 6 years 3 months
Registered General Nurse	1		i) 1 year 5 months
<u>Industrials</u>			
Hybrid Labourer		1	i) 6 years 3 months
Caretaker	1		i) 3 months

*there is no information when this vacancy was created and how long it has been unfilled.

Madam Speaker: I propose we move on to the next question, to give you time to consider the schedule.

Q111/2024
Care Agency employees –
Number on fixed-term contracts of less than two years

Clerk: Question 111. The Hon. A Sanchez.

1505

Hon. A Sanchez: Can the Government specify the number of care workers employed directly by the Care Agency who are on fixed-term contracts of less than two years?

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

1510

Minister for Health, Care and Business (Hon. G Arias-Vasquez): Madam Speaker, there are 24 people employed directly by the Care Agency who are on fixed-term contracts of less than two years.

1515

Madam Speaker: Any supplementaries on that? Next question.

Q112/2024
Care Agency –
Permanent and pensionable vacancies filled directly

Clerk: Question 112. The Hon. A Sanchez.

1520

Hon. A Sanchez: Could the Government provide information on the number of permanent and pensionable vacancies for carers that have been advertised and filled directly via the Care Agency for the following years: 2018-19, 2019-20, 2021-22, 2022-23, 2023-24 up to the current date?

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

1525

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

Answer to Question 112/2024

CARE WORKERS EMPLOYED FROM 01/01/2018 TO 16/02/2024

2018	
Number	SERVICE EMPLOYED
1	Children's Residential
2	Dr Giraldi
3	Dr Giraldi
4	Dr Giraldi
5	St Bernadette's

2019	
NAME	SERVICE EMPLOYED
1	Children's Residential
2	Children's Residential
3	Dr Giraldi
4	Dr Giraldi
5	Dr Giraldi
6	Dr Giraldi
7	Dr Giraldi
8	Dr Giraldi
9	Dr Giraldi
10	Dr Giraldi
11	Dr Giraldi
12	Dr Giraldi
13	Dr Giraldi
14	Dr Giraldi
15	Dr Giraldi
16	Dr Giraldi
17	Dr Giraldi
18	Dr Giraldi
19	Dr Giraldi
20	St Bernadette's
21	St Bernadette's
22	St Bernadette's
23	St Bernadette's
24	St Bernadette's
25	St Bernadette's
26	St Bernadette's
27	St Bernadette's
28	St Bernadette's

2020	
NAME	SERVICE EMPLOYED
1	Children's Residential
2	Children's Residential
3	Children's Residential
4	Children's Residential
5	Children's Residential
6	Children's Residential
7	Children's Residential
8	Children's Residential
9	Children's Residential
10	Children's Residential
11	Children's Residential
12	Dr Giraldi
13	Dr Giraldi
14	Dr Giraldi
15	Dr Giraldi
16	Dr Giraldi
17	Dr Giraldi
18	Dr Giraldi
19	Dr Giraldi
20	Dr Giraldi
21	Dr Giraldi
22	Dr Giraldi
23	Dr Giraldi
24	Dr Giraldi
25	Dr Giraldi
26	Dr Giraldi
27	Dr Giraldi
28	Dr Giraldi
29	Dr Giraldi
30	Dr Giraldi
31	Dr Giraldi
32	Dr Giraldi
33	St Bernadette's
34	St Bernadette's
35	St Bernadette's
36	Bruce's Farm
37	Bruce's Farm
38	Bruce's Farm
39	Bruce's Farm

2021	
NAME	SERVICE EMPLOYED
1	St Bernadette's

2022	
NAME	SERVICE EMPLOYED
1	Children's Residential
2	Children's Residential
3	Children's Residential
4	Children's Residential
5	Children's Residential
6	Children's Residential
7	Children's Residential
8	Children's Residential
9	Children's Residential
10	Children's Residential
11	Children's Residential
12	Children's Residential
13	Dr Girdali
14	Dr Girdali
15	Dr Girdali
16	Dr Girdali
17	St Bernadette's
18	St Bernadette's
19	St Bernadette's
20	St Bernadette's
21	St Bernadette's
22	St Bernadette's
23	St Bernadette's
24	St Bernadette's
25	St Bernadette's
26	Bruce's Farm
27	Bruce's Farm
28	Bruce's Farm

2023	
NAME	SERVICE EMPLOYED
1	Dr Girdali
2	Dr Girdali
3	Dr Girdali
4	Dr Girdali
5	St Bernadette's
6	St Bernadette's

2024	

Madam Speaker: We will pause that question to give you time to look at the schedule also, and we will come back to it.

Next question.

Q113/2024

**Care Agency care workers –
Numbers employed directly and through external companies**

Clerk: Question 113. The Hon. A Sanchez.

1530

Hon. A Sanchez: Could the Government provide a breakdown of the number of care workers directly employed by the Care Agency and the number subcontracted through external companies, along with the names of each subcontracting company?

1535

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

1540

Minister for Health, Care and Business (Hon. G Arias-Vasquez): Madam Speaker, the number of care workers employed directly by the Care Agency is 181, and the number of subcontracted care workers employed by external companies stands at 455. The breakdown of care workers by subcontracted companies is as follows: Ada, 374; Meddoc, 67; We Care, 10; First Choice, 4.

1545

Hon. A Sanchez: Madam Speaker, from those figures it is evident that the Government is reliant on the use of subcontracted carers. Does it plan to expand the complement of care workers employed directly through the Care Agency, or does it plan to increase its reliance on subcontracted carers?

1550

Hon. G Arias-Vasquez: Madam Speaker, yes, we are planning on increasing the number of workers employed by the Care Agency. It is a matter of training those workers correctly, so that they are able to do so.

Hon. Dr K Azopardi: When she answers yes to that question, would the increase in people being directly employed by the Care Agency mean a proportionate decrease of care workers employed by subcontractors?

1555

Hon. G Arias-Vasquez: Yes, that is precisely what we look to do.

Hon. Dr K Azopardi: And has the Government formed a view of the kind of numbers we are talking about? Is the first choice going to be offered to people who are currently employed by subcontractors, or does the Government have other people in mind?

1560

Hon. G Arias-Vasquez: We have not yet come to a view on that.

Hon. Dr K Azopardi: On any of that: numbers as well as sources of possible employees? Is that right?

1565

Hon. G Arias-Vasquez: That is correct.

1570

Hon. D J Bossino: Madam Speaker, may I ask the Hon. Minister what is informing that policy decision in terms of the Government's current aim to increase the complement of directly employed employees at the Care Agency, which would lead to a corresponding – as she has answered now to the Hon. Leader of the Opposition – number of employees provided by subcontractors?

1575

Hon. G Arias-Vasquez: Madam Speaker, as I mentioned earlier, training is the key, so we want to get these workers trained to a standard that the Government is comfortable with, and then employ them by the Care Agency.

Hon. D J Bossino: Is one reasonably able to come to a conclusion that the Government has concerns that the standard of training provided by the current service providers does not come up to scratch? It must do.

1580

Hon. G Arias-Vasquez: Madam Speaker, that is not the case. It is simply a case of diversification of the training opportunities available to Gibraltar residents, as well as planning for a non-negotiated outcome. The aim is to have the majority of Gibraltar residents employed.

1585

Hon. Dr K Azopardi: May I go back to Question 110, just to ask on that if –?

Madam Speaker: If we have finished with the supplementaries for Question 113 and the Hon. Ms Sanchez, whose question it was, is in a position to deal with that, then yes. Otherwise, we will give her the opportunity to do that before I take supplementaries on it.

1590

Are we finished with supplementaries on Question 113? I was not encouraging you to put a supplementary. I was simply – (*Interjection*) Well, you take it incorrectly then. If you did not have one in your mind before I was checking, I would suggest that it is not –

Hon. D J Bossino: I did, Madam Speaker, but I was going to stand with some trepidation.

1595

Madam Speaker: I will know for next time, then.

Hon. D J Bossino: The last reply she gave to me talked about the possibility of non-negotiated outcomes and all the rest of it. One understands the philosophy behind that and that that has been the catalyst behind the policy decision, but we are talking here about significant numbers. As it stands, overall, about 600 employees are required to provide a service if one adds the 455 to the 181. Given the potential time constraints, we have absolutely no idea what the conclusion of the talks will be or when we will find out. It is possible we –

1600

Madam Speaker: I think you had a question.

1605

Hon. D J Bossino: The question is: assuming that let's say in the next month, month and a half or two months we find out that we are unable to do a deal with Spain and the EU, is she confident that she will be able to fill the complement sufficiently to be able to provide an adequate service to service users in that very short timeframe?

1610

Chief Minister (Hon. F R Picardo): Madam Speaker, we are confident we will be able to continue to provide an adequate service to service users, even in the eventuality that the hon. Gentleman sets out, but perhaps not in the way that he postulates his question.

1615

Hon. D J Bossino: So there is something in the way I have postulated my question which has led the Hon. the Chief Minister to answer the way he has, but is he able to expand on that? If I were to postulate it as he did, what scenarios is he considering? I am looking at it from a very basic perspective. (*Interjection*) Yes, fair enough, but we need circa 600 people to provide the current standard of service and it is possible that by the end of March we end up with no deal. What is going to happen given the answer that the hon. Members have provided, which is that they are wishing to fatten up the employees of the Care Agency precisely to deal with a non-negotiated outcome?

1620

Hon. Chief Minister: No, Madam Speaker, the postulation of the question was based on whether we would be able to train 600 people in that period – in other words, in the period between now and the month in which he said rumours had led him to believe that that was when it was necessary. That postulation is entirely incorrect, but the issue that he raised, which was

1625

1630 whether or not we would be able to continue to provide the service, which will be the thing of interest to those listening and which will concern those listening – that if all of the things that he said were to happen, and therefore the basis on which he builds his question is a hypothetical, I might point out ... Despite that, I am giving confidence to the community that we will be able to provide the service without having to train 600 people in a month's time, because that is a completely irrelevant.

Q110/2024

**Care Agency and ERS vacant posts –
Numbers, details and time vacant –
Supplementary questions**

1635 **Madam Speaker:** I am going to ask the Hon. Ms Sanchez whether you are in a position to deal with Question 110: any supplementaries on that?

1640 **Hon. A Sanchez:** Can the hon. Member confirm whether the figures provided include those posts and grades that are currently filled by someone who is in an acting capacity, or have these been omitted from the figures?

1645 **Minister for Health, Care and Business (Hon. G Arias-Vasquez):** Madam Speaker, the figures provided do include all those that are currently filled by people acting up. In other words, it is a complete picture of all the vacancies.

Hon. A Sanchez: And given that some of these have been unfilled for quite a number of years, is the Government actively recruiting for these positions?

1650 **Hon. G Arias-Vasquez:** Madam Speaker, there is a variety of reasons why these posts remain unfilled: some are policy; some, as the hon. Member herself has pointed out, are actually people who are acting up into the roles; some have been seconded recently. The ones that are felt to be required are recruited actively, otherwise posts remain unfilled.

1655 **Madam Speaker:** Does the Hon. the Leader of the Opposition have a supplementary on this?

1660 **Hon. Dr K Azopardi:** Yes. Similar to that, because in the schedule that we have been handed there are some posts ... The Hon. Minister has clarified some are policy, some are not, and she said that to the extent that it is not policy, they are being actively recruited, but without giving us too much more information perhaps she can do that, because just looking at the schedule, there are five senior social workers that have been vacant for almost five years. There are posts here of over a year or two years; some care workers in drugs unfilled for six and a half years. Which ones in this schedule will remain unfilled as a matter of policy?

1665 **Hon. G Arias-Vasquez:** Madam Speaker, as I said, the list provided is a complete list of all the vacancies in the Care Agency. There are some – for example, the personal secretary position – which are likely to remain unfilled because of the budget constraints, so that is the reason for some of them.

1670 When you look at the social worker positions, there are some that are impossible to fulfil, notwithstanding recruitment drives. There are some positions which are actively being recruited for, including one that you have highlighted in Drugs and Rehabilitation Services and we are in the process of filling that vacancy.

As I said to the hon. Member, there is a variety of different reasons why, of these posts, some remain unfilled, some are actively being recruited and some are likely to remain unfilled for the foreseeable future, such as the personal secretary.

1675

Hon. Dr K Azopardi: Yes, okay, but I asked specifically which ones in the schedule are not going to be filled as a matter of policy. Is it that the Hon. Minister does not have that information, or is it that it is a fluid question? I will ask her that again, if I may, and perhaps she can give us some information. I am struggling to understand: how is it possible not to fill posts of social workers – because they are just not possible to fill? Surely, if you cannot fill them locally, you can recruit from overseas. Some of these vacancies are vacancies for more than four and a half years.

1680

Hon. G Arias-Vasquez: Madam Speaker, the post which the hon. Member specifically makes reference to, the senior social worker ... There are people temporarily promoted into those jobs. If, for example, someone is recruited from overseas, they do not automatically go into the Care Agency complement, so it would still come up as a vacancy, even though the position is filled. Even though a person has been brought to do that job, it will still come up as a vacancy in the figures that have been provided. It does not come up as part of the complement, in other words.

1685

Hon. Dr K Azopardi: I see. So can she help by saying, of the posts on the schedule, how many are in that category and how many reveal posts in respect of which nobody is acting?

1690

Hon. G Arias-Vasquez: Madam Speaker, I need notice of that question. I do not think I am able to do it on the trot now.

1695

Hon. Dr K Azopardi: I accept that she may think she needs notice of the question, but it just follows from the answer she has just given. She has made a distinction in relation to people on this list who are actually there. I am just asking how many are not there; that is all I am asking.

1700

Hon. G Arias-Vasquez: Madam Speaker, I have given an explanation as to the reason why some of these vacancies might appear as vacancies, but I am unable to go through specifics post by post – it is quite a long list – as to the reason why each and every post remains unfilled.

Hon. Dr K Azopardi: Yes, I understand, so can I invite the Hon. Minister to perhaps ask someone in the Department to do that exercise, and would she agree then to write to me with that information?

1705

Hon. G Arias-Vasquez: Madam Speaker, I am happy to do so.

Madam Speaker: All right, let's take the supplementaries in relation to Question 112. You have one on Question 110? All right.

1710

Hon. J Ladislaus: Madam Speaker, we have heard in her answer that there are a number of individuals within the Care Agency who are acting up within certain roles. Could the Hon. Minister confirm whether those individuals are being paid at a higher level in order to put them on a par with the role that they are fulfilling in the short term?

1715

Hon. G Arias-Vasquez: Madam Speaker, yes, you are paid for the acting post, not your previous position.

1720

Hon. J Ladislaus: I do accept the answer that has just been given, that there may be a person having been brought in and it is not reflected within the stats, but given the large number of unfilled roles that there do appear to be, would the Hon. Minister confirm whether the Care

1725 Agency is functioning at a deficit, or whether it is functioning as it should at the minute with the number of individuals within its contingent?

Hon. G Arias-Vasquez: Madam Speaker, the Care Agency is functioning with more individuals employed than it has ever had before.

1730 **Madam Speaker:** All right, we will take supplementaries for Question 112.

Chief Minister (Hon. F R Picardo): Just before you do that, seeing that it is quarter to six, can I suggest that this might be a convenient moment to recess and come back at six o'clock? The Government's intention is to finish the questions to the Hon. Minister for Health and Care this afternoon, and if we break now I think we will be able to finish at a relatively decent time.

1735

Madam Speaker: All right, we will take a break until 6 p.m.

The House recessed at 5.45 p.m. and resumed at 6.03 p.m.

Q112/2024
Care Agency –
Permanent and pensionable vacancies filled directly –
Supplementary questions

Madam Speaker: If my recollection serves me, we were about to take the supplementaries to Question 112. Does the Hon. Ms Sanchez have any questions?

1740

Hon. A Sanchez: Could the hon. Member clarify how many of these were new posts and how many were existing posts that had to be replaced?

Hon. G Arias-Vasquez: Madam Speaker, unfortunately, I do not have that information available.

1745

Hon. A Sanchez: Would she be able to send it to me, if it is made available to her?

Hon. G Arias-Vasquez: Madam Speaker, yes, I will.

1750

Madam Speaker: Next question.

Q114/2024
Provision of carers to Care Agency and ERS –
Subcontracted entities

Clerk: Question 114. The Hon. A Sanchez.

Hon. A Sanchez: Could the Government provide a detailed breakdown of all subcontracted entities currently providing carers to the Care Agency and ERS, including the value of each contract and payments made to each entity for the following years: 2018-19, 2019-21, 2021-22, 2022-23, 2023-24 to current date?

1755

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

1760 **Minister for Health, Care and Business (Hon. G Arias-Vasquez):** Madam Speaker, the GHA and, therefore, ERS does not employ or subcontract carers. The Care Agency uses the following entities to provide services. The detailed breakdown of costs per annum per entity is as follows for the provision of care workers.

1765 Meddoc: 2018-19, £54,431; 2019-21, £701,048.86; 2021-22, £1,116,438.48; 2022-23, £2,065,179.83; and 2023-24, £2,573,839.96.

Rainbow Services: 2018-19, £2,974,917.02; 2019-21, £8,046,569.06; 2021-22, £9,680,183.10; 2022-23, £9,337,313.83; and 2023-24, £10,426,661.25.

Grand Home Care: 2018-19, £252,388.76; 2019-21, £87,551.90. Grand Home Care were not used in 2021-22, 2022-23 and 2023-24.

1770 We Care was not used in 2018-19; 2019-21, £32,483.95; 2021-22, £76,266.93; 2022-23, £90,622.13; 2023-24, £209,741.68.

Hon. A Sanchez: And in all the contracts that the hon. Member has mentioned that exceed the threshold, can the hon. Member confirm that they have all gone out to tender?

1775

Hon. G Arias-Vasquez: Madam Speaker, I do not have the information available.

Hon. A Sanchez: Could the hon. Member confirm that in all of these contracts that she mentions there are written and signed contracts in place with all of these entities, that these contracts are up to date and that they include technical specifications for the services required?

1780

Hon. G Arias-Vasquez: Madam Speaker, I specifically did not make a reference to a contract and there are no contracts in place.

1785 **Hon. A Sanchez:** So there are no contracts in place for any of the arrangements that she mentions?

Hon. G Arias-Vasquez: That is correct. We are currently in the throes of arranging the contracts to be put in place, but there are no contracts in place.

1790

Hon. A Sanchez: Could the hon. Member elaborate on how the Government has been engaging with the services of these entities without any contracts in place and, obviously, any documents that lay out the technical specifications of the services and so forth with each of these entities?

1795 **Hon. G Arias-Vasquez:** Madam Speaker, whilst I do not have the detail available, I know that the Care Agency engages with each of these entities to provide standards etc. on a case-by-case basis, and it has been an evolving relationship which has happened with each of the three entities.

1800 **Hon. A Sanchez:** But without any written contract in place, wouldn't the hon. Member agree that it leaves the service user in a bit of a dangerous situation, given that at any given moment either the Government can pull out from the arrangement or the care provider can potentially pull out from the arrangement, and it leaves the service user with the problem of lack of continuity of care, or the Government with the problem of finding itself without a care provider?

1805 **Hon. G Arias-Vasquez:** No, Madam Speaker, we would not agree that that is the case. For all these years the continuity of care has been provided. There are four agencies that provide a service and the Care Agency has always found a way to provide the service user with the care that it requires.

1810 **Hon. A Sanchez:** But the hon. Member has just confirmed that it has no contracts in place and that she is in the process of arranging these contracts, so potentially it is a danger because there are no contracts in place.

1815 **Hon. G Arias-Vasquez:** Madam Speaker, a contract confirms a relationship between two parties. The relationship is one that has been evolving and there has always been a service provider to the end user. The service has evolved over the years and there are four agencies that are providing these services, so whenever one is required to provide more workers, they do so. There has never been a shortfall in the service to the end user.

1820 **Hon. Dr K Azopardi:** There must be a rationale as to why they are putting contracts in place, so the Minister must agree that ... Presumably it is now convenient to put contracts in place. Isn't that the case? If there are no written contracts in place, what is the yardstick for the performance of the service if things are not stipulated that need to be provided? If the end user is to be protected, does the Minister not agree that it is better to delineate the services in a clear form?

1825 **Hon. G Arias-Vasquez:** Madam Speaker, as I have said, the relationship between the parties has evolved over the years and it is my view that it is best caught in a contract, but the relationship is one that is best caught in a contract now, in the same way that legislation can sometimes be picked up at a later point. However, that does not mean that the service has not been provided.
1830 There is a constant relationship with each of these entities. The review of the service is an ongoing review between the Care Agency and each of the agencies providing these services.

Hon. Dr K Azopardi: On the Meddoc contract, or the expenditure that the Minister has detailed, which goes from £54,000 in 2018-19, I think she said, to date in 2023-24, £2.5 million,
1835 more or less – which sites is that in relation to?

Hon. G Arias-Vasquez: Madam Speaker, care workers are provided by the Care Agency on any one of the sites as and when required. It is not that one service provider provides carers to one site. It is as and when. It is a very fluid relationship between the parties.

1840 **Hon. Dr K Azopardi:** So, as an example, it is not that Meddoc provides care workers in Bella Vista. There might be care workers provided by Meddoc, by Rainbow and by Grand Home Care all on the same site. Is that what she is saying?

1845 **Hon. G Arias-Vasquez:** Madam Speaker, Bella Vista is a bad example because Bella Vista is run by the ERS, and that is one of the specific contracts which are not under the Care Agency and ERS contracts, so that is entirely different, but to my understanding care workers are provided on an as-and-when basis as and when required by each of the agencies.

1850 **Hon. Dr K Azopardi:** Okay, but can I just ask, because perhaps I misunderstood the original answer ...? I thought she had said that the numbers that she provided were Care Agency. Is that right? Or was it Care Agency and ERS? Is it both, or just Care Agency?

Hon. G Arias-Vasquez: For clarification, Madam Speaker, these numbers are Care Agency
1855 numbers.

Hon. Dr K Azopardi: I see, so it is not ERS. So if, for example, Bella Vista is an ERS contract, the Bella Vista cost is not included in those numbers that she has given us – is that correct?

1860 **Hon. G Arias-Vasquez:** Madam Speaker, that is correct and I believe there is a further question later on which deals with that.

1865 **Hon. Dr K Azopardi:** Okay, but just staring at the question – Question 114 – it says, ‘Could the Government provide a detailed breakdown of all subcontracted entities currently providing carers to the Care Agency and the Elderly Residential Services ...?’ so we had anticipated that it would be answered here.

1870 **Hon. G Arias-Vasquez:** Madam Speaker, in relation to ERS, the services are subcontracted, so the carers are not subcontracted by the ERS. There is an important distinction to be made there. The ERS does not subcontract carers, it subcontracts a service. The Care Agency subcontracts carers.

1875 **Hon. Dr K Azopardi:** Okay, but the question asks for a detailed breakdown of subcontracted entities currently providing carers. That, with respect, does not make the distinction that the hon. Member has just drawn. By pocketing entities that provide services and making a distinction with those that provide carers ... That is not a distinction drawn by the question. If, for example, Meddoc is providing services to Bella Vista under the contract, they are also, presumably, providing carers, aren’t they? They must be providing people as well.

1880 **Hon. G Arias-Vasquez:** Madam Speaker, the information that the hon. Member is seeking is provided later on. I can provide you with that information here and now if you would like me to provide you with that information here and now, but the question is asked more specifically later and it is provided later on. It is at Question 119.

1885 **Hon. Dr K Azopardi:** I see, but can I just ask this, because Question 119 is about Meddoc and that would not capture any other ERS contract with any other entity: is there any other entity not covered by Question 119?

1890 **Hon. G Arias-Vasquez:** No, the ERS only subcontract to Meddoc. There is no other entity which the ERS subcontracts to. The Care Agency subcontracts to these four companies.

Madam Speaker: The Hon. Mr Clinton.

1895 **Hon. R M Clinton:** Thank you, Madam Speaker. The Minister has told the House that there are no contracts. Can I ask the Minister, then, on what basis payments are made? One of the providers, I think she said, received something in the order of £10 million in a year. How are payments determined, or how are valid invoices accepted in the absence of a contract? How does this work in practice?

1900 **Hon. G Arias-Vasquez:** Madam Speaker, in practice, invoices are received, they are vetted by the Care Agency, they are confirmed true or otherwise, and then they are paid.

1905 **Hon. R M Clinton:** Yes, Madam Speaker, but how are the invoices vetted? They must be vetted against something. How is the person vetting able to determine whether the invoice is subject to an agreement of sorts? When I say agreement, there must be something that would validate whether that invoice is correct or not. What is it that has been used to do this, because if there is no contract ...? I do not know whether she means there is no written contract but there has been some informal verbal agreement over years, but there must be something, or some internal memorandum that somebody has produced somewhere saying, ‘These are the rates we will pay and it has been agreed on such and such a date.’ Otherwise, is she asking us to believe that somebody just receives random invoices from these service providers and pays them with nothing?
1910

1915 **Hon. G Arias-Vasquez:** Madam Speaker, that is exactly what does not occur. There is an hourly rate that is agreed between the parties. There is also an agreed procedure for when a patient leaves hospital, for example, and requires domiciliary care. The patient leaves with a package of care with a stipulated number of hours. That stipulated number of hours is then confirmed. That is then reviewed and everything is recorded in detail. So we have a record of, for example, the packages of care, the hours that are worked, and that is then reviewed and made sure that the numbers work. So it is not that someone picks up an invoice and pays that invoice. There is a procedure whereby the hours worked are checked against the hours that are approved, and those hours approved are then put against an hourly rate.

1925 **Hon. R M Clinton:** Precisely, which is what I would expect to happen where you have a contractual arrangement. So the hourly rates must have been agreed in writing – is that not the case?

Hon. G Arias-Vasquez: Yes, Madam Speaker, that is exactly the case. There is no actual contract, but the hourly rate was agreed in writing.

1930 **Madam Speaker:** The Hon. Mr Bossino.

1935 **Hon. D J Bossino:** I am grateful, Madam Speaker. The hon. Member has been dwelling upon the payment arrangements and the effects of tariffs and the hours that have to be provided to a particular ... service users and all the rest of it. That can be a partly written contract, partly oral and all the rest of it. The bigger concern that I have is perhaps the macro issues between both parties. In other words, things like obligations, liabilities, warranties, covenants and all the rest of it. Presumably that is what she now wants to address after a period of negotiation with the service users and to reduce all of that in a written contract, which is the Government's aim.

1940 Can I ask her, in relation to that, when she expects to be in a position to sign off on these contracts? How far advanced is she in the negotiations and in drafts and all the rest of it? Is it imminent, or is it going to take another x number of months, or indeed years? Given the payments which are being made, certainly on this side of the House we consider that it is all rather unsatisfactory.

1945 **Hon. G Arias-Vasquez:** Madam Speaker, unfortunately, it is not possible to say. We are in a process of trying to get through this as quickly as possible. It is not possible to set a direct deadline for this.

Madam Speaker: Next question.

Q115-16/2024

Care Agency service provision –

Contracts with private entities; monitoring and regulation re service standards

1950 **Clerk:** Question 115. The Hon. A Sanchez.

1955 **Hon. A Sanchez:** How many contracts have been entered into between 2012 and 2023 between the Government/Care Agency with any private entity for the provision of care services, providing (a) a list of these contracts; (b) an overview of services provided and the value of the consideration paid in respect of each; and (c) a copy of the service agreements and corresponding tender documents of each?

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

1960 **Hon. G Arias-Vasquez:** Madam Speaker, I will answer this together with Question 116.

Clerk: Question 116. The Hon. Sanchez.

1965 **Hon. A Sanchez:** How are subcontracted agencies providing services to the Care Agency independently monitored and regulated to ensure standard of services?

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

1970 **Minister for Health, Care and Business (Hon. G Arias-Vasquez):** Madam Speaker, as I have just confirmed, the Care Agency does not have any contracts with any private entities for the provision of care services.

As the hon. Member may appreciate, Madam Speaker, I am unable to share copies of the commercial contracts across the floor of this House. The Government, however, is committed to ensuring the implementation of a system to deliver the standards of the Care Quality Commission.

1975

Hon. A Sanchez: I am happy to hear that the Government is committed to implementing a Care Quality Commission, but my question is at present how are these subcontracted agencies independently monitored and regulated. As the hon. Member has just explained in the previous question, you have centres and facilities that have carers from various different subcontracted agencies delivering care, and at present it does not seem that there is any independent body regulating any of them. On top of that, she confirms that there is no contract or detailed technical specification of the services required, so it does not seem to me that there is anything that is independently monitoring the standards of care. Maybe she can elaborate on how this is being done presently.

1985

Hon. G Arias-Vasquez: Madam Speaker, currently, in the absence of a Care Quality Commission, care workers are subcontracted to provide domiciliary home care support in people's homes. The agencies have supervisors who monitor the services and provide feedback and raise any concerns to the Care Agency. In addition, monthly meetings are held between the Care Agency and any of these companies.

1990

The Care Agency also provides these agencies with a care plan individually tailored to each client, to ensure that carers are aware of the services that are required in each and every home. Staff at the subcontracted agencies have a QR code, where they log in and out of their working day. All packages of care more than 21 hours are reviewed to ensure that the clients receive the appropriate care for their needs and the views of the clients and relatives are also taken into account. Complaints, as I confirmed before, are also taken into account and reviewed.

1995

A survey has also been conducted by the Care Agency and these companies, which allows clients the opportunity to express their views and provide feedback on services received. Most of the feedback received has been positive. There were a few minor issues raised, where clients wanted to change the times of their services, and, whenever possible, this has been accommodated.

2000

Care workers are also engaged to support care provision in learning, disability and children's services, and work alongside directly employed care workers. The agency care workers also have the same level of supervision as employed care workers. The Care Agency is involved in the recruitment and selection of agency care workers, and has regular meetings with the agencies to review any concerns raised. Should there be any instance where care provision is not to the standard required, the agency removes the carer. The Care Agency has a code of conduct for health and social care workers. All staff are subject to this code of practice. In the interim, that is what is being done.

2005

2010 **Madam Speaker:** The Hon. the Leader of the Opposition.

Hon. Dr K Azopardi: I am just trying to understand the consistency between the original answer, if I may, and the previous answer to the question. As I heard the hon. Lady, she said that the Care Agency does not have contracts providing care services – I think that was the original answer – but in the previous question she detailed a breakdown of entities providing carers to the Care Agency, so presumably there are ... Are we stuck on the word ‘contracts’? Is that what it is? There is an agreement to provide certain services – carers – to the Care Agency, because she has given us figures in respect of Meddoc, Rainbow, Grand Home Care and We Care. So how can it be that there are no contracts providing care services? Surely there are agreements.

2020 **Hon. G Arias-Vasquez:** Madam Speaker, there is no written contract. There are agreements and, as I explained previously, the agreements have evolved during the years that these agencies have been used.

2025 **Hon. Dr K Azopardi:** That is helpful. There are agreements. There may not be written contracts in what a commercial lawyer might interpret in a big document of 50 pages, but there must have been an exchange of letters or emails detailing services and hourly rates and things that would be provided in respect of carers to the Care Agency. That kind of written information must exist, surely.

2030 **Hon. G Arias-Vasquez:** Madam Speaker, yes, there is exchange of emails, there is confirmation of the hourly rates etc. There is no written contract in the way that a commercial lawyer would understand there is a contract in place. There are procedures. I have just highlighted the procedures that the Care Agency goes through to make sure that there is a certain standard in the care that is provided, but what is meant is that there is no written contract. The relationship has evolved, practices have evolved, and the basic terms such as ... the hourly rate is an agreed rate between the entities.

2040 **Hon. Dr K Azopardi:** Can I just clarify, then, because the hon. Lady has asked about the contracts, and the original answer says there are no contracts, but we are now agreeing that there are agreements evidenced in writing and the Hon. Minister has given us specific sums for the period 2018 right through to 2024, but this question, Question 115/2024, asks for the period 2012-23. In relation to the period 2012-23, there would have been expenditure in respect of these services to entities. Does she have those sums?

2045 **Hon. G Arias-Vasquez:** Madam Speaker, in the period 2012-24, the total figures for each of the entities are as follows: Meddoc, £6,523,160.73; Rainbow Services, £49,659,897.28; Grand Home Care, £5,373,738.72; and We Care, £409,114.69. There is a slight nuance there because the period of 2012 to 2015 are the figures for the Care Agency and the Elderly Residential Services. After that, it was split out, and these are the figures for the Care Agency alone.

2055 **Hon. A Sanchez:** In respect of the original question, Question 115, the hon. Member says that she cannot provide a list of the contracts because the contracts do not exist; there are no contracts in place. I assume that she cannot provide a copy of corresponding tender documents either. That is part (c) of the question. There are no tender documents to provide because they do not exist either, and there is no copy of a service agreement because that does not exist either. She has left that part of the question out. And an overview of the services provided – that is part (b) of the question – she cannot provide either, because she seems only to have answered the part on the contracts, saying that there are no contracts in place with any of the subcontractors.

2060

2065 **Hon. G Arias-Vasquez:** Madam Speaker, I never avoid answering any questions and I never avoid giving any information. There are no tender documents, and the – (*Interjection by Hon. A Sanchez*) There are no contracts, there are no tender documents. A relationship has evolved over the years. I can repeat the same information again: the relationship between the parties has evolved over the years but there is no written contract and there are no tender documents.

2070 **Hon. A Sanchez:** [*Inaudible*] Are there cases where the sum has exceeded the tender thresholds, they have not gone out to tender, so they have not gone through the procurement regulations. That is what you are stating.

2075 **Chief Minister (Hon. F R Picardo):** No, Madam Speaker, that is not what we are stating, because there is an argument that the contracts are contracts for each of the care packages required, and probably each of them would not exceed the tender thresholds. I say ‘probably’ because there may be one where there is care provided for somebody who needs care 24 hours a day, and that may be in excess of £2,000, but what you have here are all of the companies that provide this service in Gibraltar. In other words, it is not that we have chosen one over another company. These are all of the companies in Gibraltar that provide this service, and all of them provide it to the Government. So there is not anybody in the market who has not got a contract from the Government in this respect. Quite the opposite. In fact, it is important to highlight that there was another player in the market called Grand Home Care, and that entity no longer exists in the market. What happened here – and I do not want to pre-empt another question that is on the Order Paper – is that the Government felt that it was being overcharged for the services that were being provided to the Government, and what the Government did was negotiate with all of the players in the market to reduce the amount that the Government was being charged, in other words to get the best deal for the taxpayer. What we have seen, which we have talked about before in this House, is that the Government has invested hugely in the provision of domiciliary care and the provision of care to those in our community who need it, when we inherited a spend of approximately £300,000 a year and we are now spending, in some years, in the region of eleven or twelve million pounds. That is what we are saying, Madam Speaker.

2090 **Madam Speaker:** Any more supplementaries? Yes, Ms Ladislaus.

2095 **Hon. J Ladislaus:** I am going back to ensuring standards of service, so Question 116. We have heard about and we welcome the development of a Care Quality Commission, which was certainly a manifesto commitment of ours as well, but I take the Hon. Minister back to ensuring standards of service. Part and parcel of ensuring those standards is that issues of continuity are dealt with. There are many members of our community who flag issues of continuity, and by that I mean that they get a different carer often coming through, so that you build a rapport with one carer and then suddenly you get a separate carer. There are very high numbers of carers coming through the doors of some individuals. My question is will the Government commit to addressing the issue of lack of continuity of care as part and parcel of ensuring standards of service?

2105 **Hon. Chief Minister:** Madam Speaker, I appreciate that the hon. Lady has not been in this House before, but the things that we have said in this House before are publicly available information. Just because somebody has not followed the debates and has not followed the information being provided in this House, it does not mean that it is not publicly available information. The Hon. the Father of the House was very kind earlier on when he said, ‘Although the hon. Lady may not be aware, this is what we have said before.’ We have dealt with this issue of continuity before on a number of occasions in this House.

2110 The Government’s position is this: we believe that we should have, where possible, home-grown carers, and therefore we are training carers so that, where possible, Gibraltarians take the job of carers. The unions support us in that respect. For that reason, we do not give long-term

contracts in care to those who are not necessarily resident in Gibraltar. This is a longstanding rule which has applied also in other areas of our community – for example, in terms of policing and in terms of working in the Hospital there is a residence requirement in terms of those who get long-term contracts. But there is another side to this coin, which is the employees themselves. It appears that there are some in this community – and we have ventilated this before in this House – who believe that the Government should shackle itself to certain non-resident workers and provide them with long-term contracts, so that they can continue to provide the care to certain members of our community, the reasons for which I understand from the point of view of the members of the community who want to have the same carer. In some instances, the Government is prepared to do that. For example, where you have a vulnerable person who builds a relationship with a carer and finds it difficult to build relationships, then part of providing the care is continuing to provide the same carer, but nobody addresses in that context that the carer might decide to get another job. They are saying the Government should give the long-term contract to the carer so that the carer can continue to provide the care to X, but they would not for one moment insist that the carer, if they get a better job or a promotion prospect, should not be able to go to that better job or get the promotion, even if it means no longer providing the care to X. They are asking the Government to enter into a one-sided obligation, in effect, in circumstances where to do so would mean that we would fail in our manifesto and policy and ideology commitment to always be free to provide those jobs to long-term residents of Gibraltar whom we train to do those jobs, and would put us, in the context of a potential no-negotiated outcome, at the mercy of those who would then say, ‘Now you have long-term contracts with these people they have to be able to get through the Frontier; if they cannot, you are going to have a difficulty,’ but not at the mercy of the individuals, all of whom could, the following day, say, ‘I have got a better job in Algeciras and now I am going, and Mr X’ – or Mrs X or little X – ‘no longer has me as a carer because I have decided I have got another job.’

These carers do hugely important and difficult jobs. They are very draining jobs. We acknowledge that. We understand that. We understand that some people need to move on because they cannot continue to do the jobs that require the level of intensity and commitment that they do, and of course we would not shackle them and say that they could not move on to a promotion or to another job. The hon. Lady needs to understand that that is why we have taken the attitude that we have taken, and that is the issue that we have ventilated before in this House.

Hon. J Ladislaus: I am grateful to the Hon. Chief Minister for the explanation, but it does not deal with what we just heard the Hon. Minister for Health state a few moments ago, which is that even within these three companies that provide the services, carers are sent to different locations on each occasion. Correct me if I am wrong, but perhaps a carer has been to Mr Smith’s house today: that carer might not return tomorrow because they might be a carer from a different company being sent. Is anything being done to address that issue on a practical level? That could go some way to alleviating the issue?

Hon. G Arias-Vasquez: Madam Speaker, the complaints that I raised before are often things like this, the change of carer etc. It is not on a daily basis that people shift around. People are sent to different locations, but not on a daily shift. When someone is with a carer on a longer-term basis and there is a change of that carer and there is a complaint ... those are the sorts of complaints that the Care Agency receives frequently and the Care Agency tries to deal with, insofar as they are able to. As the Chief Minister has said, if the person has moved on to a different job there is very little that can be done, but a large majority of the complaints that the Care Agency receives are in relation to continuity of care, and if and when they can, and if they are able to, and if the work continues there, and if the circumstances permit, they will endeavour to try to accommodate that individual.

Madam Speaker: Next question.

Q117-19/2024

Meddoc Ltd –

**Details re contracts in place with any government entity;
service agreements and tender documents**

2165 **Clerk:** Question 117. The Hon. A Sanchez.

Hon. A Sanchez: How many contracts are in place at today's date between the Government and/or the GHA and/or the Care Agency and/or any other government-owned entity with Meddoc Ltd for the provision of services?

2170

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

Minister for Health, Care and Business (Hon. G Arias-Vasquez): Madam Speaker, I will answer this question together with Questions 118 and 119.

2175

Clerk: Question 118. The Hon. A Sanchez.

Hon. A Sanchez: How many contracts are in place at today's date between the Government and/or the GHA and/or the Care Agency and/or any other government-owned entity with Meddoc Ltd for the provision of services, providing (a) a list of those contracts; and (b) an overview of the services provided and the value of the consideration paid in respect of each?

2180

Clerk: Question 119. The Hon. A Sanchez.

2185

Hon. A Sanchez: In respect of the Meddoc agreements referred to in the previous question, would the Government provide a copy of the service agreements and corresponding tender documents for each to the Opposition?

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

2190

Hon. G Arias-Vasquez: Madam Speaker, the Care Agency does not hold any contracts with Meddoc Ltd for the provision of services.

ERS, through the GHA, has three contracts with Meddoc Ltd for the provision of services as follows: Hillside, the John Mackintosh Wing and Bella Vista.

2195

The GHA contracts are for the provision of a managed service for the Elderly Residential Service, which includes nursing, labourers and facilities including catering and domestic care.

With regard to Question 119, the services are for the provision of nursing, labourers, and facilities to include catering and domestic staff. As the hon. Member may appreciate, I am unable to share copies of commercial contracts across the floor of the House.

2200

Madam Speaker: Any supplementaries? Yes, the Hon. the Leader of the Opposition.

Hon. Dr K Azopardi: Again, to clarify, the hon. Lady says there are no contracts with the Care Agency, but she has, in answer to my previous supplementary, agreed with me, I think, that there are agreements – I am not going to use the word 'contracts', there are agreements – with a number of entities in respect of which she has given figures: Meddoc £6.5 million, Rainbow £49.6 million. So there are agreements between the Care Agency and a number of entities for the provision of some kind of services. Does she agree?

2205

2210

Hon. G Arias-Vasquez: Madam Speaker, we can enter into semantics. There are no contracts, there are no agreements, there are no written agreements. There are facts on which the

relationships between the parties are governed – let’s put it that way. There is a price per hour that has been agreed. There are certain conventions which have been agreed between the parties as to how the relationship progresses. There is no written email which stipulates how the relationship works. The relationship has evolved over the years, as I have said on numerous occasions previously. There are no written contracts, there are no written agreements, there is no document where the relationship is set out between the parties. It has evolved throughout the years.

2220 **Hon. Dr K Azopardi:** The hon. Lady will forgive me: I thought we had some progress. I do not think it is a question of semantics, with all due respect to her. There may not be a contract in the sense of an identifiable document which is 60 pages long, but if I write an email in response to an invitation setting out rates, and you respond and say, ‘We agree,’ that is an agreement, a contract. What I am rather troubled with is I thought she had agreed with my hon. colleague Mr Clinton that there must be some document where rates are set out. I thought she had agreed with that. Now, in her answer just a few moments ago, she seems to suggest there is nothing.

2225 Can I ask her again? Surely there must be some kind of document, exchange of email or letter in which services are invited and there are rates provided in respect of which there is agreement between the GHA and Care Agency and the entity.

2230 **Hon. G Arias-Vasquez:** Madam Speaker, this is like 101 contract law. There are emails which set out the rates at which the parties agree to provide services. Yes, there are those emails. The rates are agreed. There is no contract. There is no agreement in place between the parties which I can hand over. There is an agreement in place as to the rate. There is an email which sets out an agreement between the parties as to the rate at which they are prepared to work.

2235 **Madam Speaker:** Yes, the Hon. Mr Clinton.

2240 **Hon. R M Clinton:** Thank you very much, Madam Speaker. May I ask, Madam Speaker ...? It may be that the Minister may not be able to answer this, and maybe the Father of House might answer this, but is there anything in an instruction or directive from the Financial Secretary’s Office requiring the purchase of services to be evidenced in writing in some form or manner, so that the Financial Secretary’s Office, the Treasury or the Principal Auditor, God forbid, can actually come back and check the performance of contracts and payments etc? Is there nothing that the Financial Secretary’s Office has issued as a directive requiring such documentation?

2245 **Chief Minister (Hon. F R Picardo):** Madam Speaker, the hon. Gentleman’s question would require encyclopaedic knowledge and analysis of every document that has ever emerged from the Financial Secretary’s Office to understand whether such criteria have ever been set out in writing by the current or any former Financial Secretary, which would require notice in order to try going back to the appointment of the first Financial Secretary to determine whether such a document exists. I can tell the hon. Gentleman that nothing that the hon. Lady has said suggests that there is not such a set of objective criteria for the purposes of determining the payments made in respect of the Care Agency’s payments to these entities.

2250 **Madam Speaker:** The Hon. Ms Sanchez had a question?

2255 **Hon. A Sanchez:** In her initial response the hon. Member mentioned Hillside, Bella Vista and the John Mackintosh Wing. In relation to Bella Vista and the tender awarded to Meddoc for the sum of approximately £1.4 million in 2017, is she in a position to confirm what other tender bid submissions were made under some of these bids?

2265 **Hon. Chief Minister:** Madam Speaker, I think to go back to the financial year 2017 we would need notice of the question. If it is any consolation, we were not asked at the Committee Stage of the Budget debate in that year that question in respect of that expenditure, or the year after.

Madam Speaker: Next question.

Q120/2024
Care Agency and ERS –
Breakdown of individual overtime expenses

Clerk: Question 120. The Hon. A Sanchez.

2270 **Hon. A Sanchez:** Could the Minister provide a breakdown of individual overtime expenses for the Care Agency and ERS, including grade, post and department, for the following years: 2021-22, 2022-23, 2023-24 up to the current date?

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

2275 **Minister for Health, Care and Business (Hon. G Arias-Vasquez):** Madam Speaker, I now hand over a schedule with the information requested.

Answer to Question 120/2024

Care Agency

Overtime Summary	2021/22	2022/23	2023/24*
	£	£	£
Post:			
Social Workers	12,238.80	32,586.86	33,839.64
Admin	18,846.64	26,605.65	35,076.18
Unit Managers	7,224.04	14,579.67	14,633.30
Care Worker	112,650.00	207,339.28	243,420.30
Nurses	11,935.11	4,302.19	575.87
Other **		1,187.15	3,453.67
Industrials	2,490.04	15,531.01	18,025.96

ERS

Overtime Summary	2021/22	2022/23	2023/24*
	£	£	£
Post:			
Nurses	687,668.54	575,693.86	433,284.39
Industrials	467,719.93	409,259.72	374,327.19

Madam Speaker: All right, we will move on to the next question, so that you have some time to look at it.

Q121/2024
Care Agency Finance Director –
Source of remuneration

2280 **Clerk:** Question 121. The Hon. A Sanchez.

2285 **Hon. A Sanchez:** Regarding the recently appointed Finance Director for the Care Agency as confirmed by the Hon. Minister in the parliamentary session of December 2023, could the Government specify whether this individual receives remuneration from another department or agency or government-owned company other than the Care Agency, and, if so, furnish further details?

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

2290 **Minister for Health, Care and Business (Hon. G Arias-Vasquez):** Madam Speaker, I can confirm that the same individual has a parallel appointment as Finance and Procurement Adviser to the Ministry for Health, Care and Business. I can further confirm the post holder receives remuneration in respect of this appointment.

2295 **Hon. A Sanchez:** Can the hon. Member elaborate on how much this remuneration is exactly?

Hon. G Arias-Vasquez: Madam Speaker, her remuneration is £82,763 per annum.

2300 **Hon. A Sanchez:** Can the hon. Member confirm whether this vacancy had been advertised?

Hon. G Arias-Vasquez: Not that I know of, Madam Speaker.

2305 **Hon. A Sanchez:** In relation to the previous question asked about the recently appointed Finance Director for the Care Agency, the hon. Member stated that it was before her time and that she was not aware whether this vacancy had been advertised; it was on an interim basis and the recruitment for the selection of this post had not yet commenced. Now she has confirmed that this same individual is remunerated by another department and this vacancy has also not been advertised. Can she confirm when the recruitment process for this second vacancy will be advertised?

2310

Hon. G Arias-Vasquez: Madam Speaker, I am not yet able to do so.

Hon. A Sanchez: Could I ask the hon. Member whether this individual is a local person who has resided in Gibraltar for more than three years?

2315

Hon. G Arias-Vasquez: Madam Speaker, she has not been resident in Gibraltar for more than three years. She is currently resident in Gibraltar and she is not a Gibraltarian. That was the first question, no?

2320

Hon. A Sanchez: I did not ask her whether she was a Gibraltarian; I asked her if she was local.

Hon. Dr K Azopardi: I think you asked 'resident'.

Hon. A Sanchez: Yes, a local resident.

2325

Madam Speaker: In any event, put a question if you have another one.

Hon. A Sanchez: *[Inaudible]*

2330

Hon. G Arias-Vasquez: Madam Speaker, the individual involved has very specific experience. She was a chief finance officer and a deputy CEO in a National Health Trust in the UK. She is highly effective, with a proven track record in strategic delivery at board level. She has held senior positions in acute mental health, learning disability and with ambulance NHS providers across the UK. She has a wide portfolio of responsibilities outside of finance, including procurement, estates, facilities, operational performance and business intelligence. She is troubleshooting for the Ministry and I think she is a valuable asset.

2335

Hon. A Sanchez: Madam Speaker, I am not denying that, but if the vacancies had been opened up, then there would have been a recruitment process and she could have applied along with anybody else who wanted to. That opportunity would have been made available to everybody else, along with all local applicants, and they would have been given that opportunity.

2340

Madam Speaker: Question?

2345

Hon. A Sanchez: Why haven't they carried out this process, and when do they plan on carrying out this recruitment process?

Hon. G Arias-Vasquez: Madam Speaker, we have confirmed that the vacancy will be open in the future, but at present this individual is carrying out the job.

2350

Hon. A Sanchez: Could I ask the hon. Member to confirm whether this individual is related to the Director General?

Chief Minister (Hon. F R Picardo): Madam Speaker, I do not think we talk about relationships in the House in this way, and neither do I think the Government would want to be talking about relationships between people in this way. If the hon. Lady wants to have a conversation behind the Speaker's Chair, we are happy to do so there.

2355

Madam Speaker: Yes, the Hon. the Leader of the Opposition.

2360

Hon. Dr K Azopardi: I am slightly confused, because we are talking about different vacancies and so on. The Hon. Minister gave a figure of £82,000. Is that the all-in remuneration or is it ...?

What sum is it in respect of the total remuneration, and beyond the salary does she get any other benefit in kind?

2365

Hon. G Arias-Vasquez: Madam Speaker, this individual has two separate jobs. She is employed as Finance Director for the Care Agency and she is remunerated as Finance Director for the Care Agency, and she is separately employed as Finance and Procurement Adviser to the Ministry for Health and is remunerated for that separately.

2370

In respect of your second question, she also gets a one off tax-exempt accommodation allowance of £8,500.

Hon. Dr K Azopardi: Is that £8,500 a year? And what is the total salary for both posts?

2375

Hon. G Arias-Vasquez: Madam Speaker, the accommodation allowance is a one-off accommodation allowance. The addition is the amount that I said last time plus the amount I have said this time. (*Interjections*)

Hon. Chief Minister: Well, look it up: it is publicly available information.

2380

Hon. Dr K Azopardi: We are not trying to be difficult with each other, surely. The hon. Lady presumably has the information in front of her. I am told on this side of the House that it might be in the region of £160,000. Is that correct?

2385

Hon. G Arias-Vasquez: Madam Speaker, I am not trying to be difficult. I have the answer in relation to this question. Last time, I provided the answer probably in the region of seventy ... I do not want to commit to it, but it was in that region. So add the figure from last time and the figure from this time, and you get the complete remuneration package for her two separate jobs.

2390

Madam Speaker: The Hon. Mr Clinton.

Hon. R M Clinton: Madam Speaker, speaking as a former accountant, that is a particularly generous. Can I ask the Hon. Minister, given this post does not appear to have been advertised, how was this individual identified and selected for two roles within the service? It just does not seem to make sense to this side of the House.

2395

Hon. G Arias-Vasquez: Madam Speaker, this appointment predates my time in the Ministry, so I am unable to answer that question.

2400

Hon. R M Clinton: Madam Speaker, she represents the Government. Surely someone on that side of the House will be able to answer the question of how this individual was identified.

Hon. Chief Minister: Madam Speaker, the hon. Gentleman asked the question of the hon. Lady. The hon. Lady represents *this* administration.

2405

Hon. R M Clinton: Madam Speaker, without going into semantics, I cannot remember how many times when we have asked questions of a particular Minister the Hon. Chief Minister has stood up and said, 'No, we decide who answers a question.' Either they are the Government or they are not. He has the corporate memory for the Government: surely he can answer the question.

2410

Hon. Chief Minister: I do have the corporate memory for the Government, Madam Speaker, and Sir Joe Bossano has the corporate memory for Gibraltar, in my view. I cannot answer this

2415 question because I was not the Minister involved in dealing with this recruitment. Neither was this recruitment referred to me during the course of the last administration.

Hon. R M Clinton: Madam Speaker, is the Chief Minister telling the House that the recruitment of an individual that was not advertised, with a pay package of £150,000, was not brought to his attention? Is that what he is telling the House?

2420 **Hon. Chief Minister:** No, Madam Speaker, I said I did not *handle* the recruitment process.

Hon. R M Clinton: Madam Speaker, the Chief Minister is obviously aware of the process, but he still is unwilling to tell the House why this particular individual was selected. It is not as if we cannot find local talent to fill these two jobs, and suddenly ... at £150,000 it is probably more than the Financial Secretary officially gets paid. So I ask again: can anybody on that side of the House explain how this individual was identified?

2430 **Hon. Chief Minister:** It is not as much per hour as the Opposition are paid, Madam Speaker, given the number of hours that they perform and the salaries that they obtain. The hon. Gentleman, if he wants to insist, can ask the question as many times as he likes in as many different permutations as he likes, but I am unable to assist the House.

Madam Speaker: Next question.

Q122/2024

Autism spectrum disorder – Waiting time for referrals for full assessment

Q123-25/2024

Autism spectrum and developmental language disorders – Numbers of children diagnosed; number with dual diagnoses

2435 **Clerk:** Question 122. The Hon. A Sanchez.

Hon. A Sanchez: Could the Minister provide an update on the current waiting time for referrals for full assessment of autism spectrum disorder at the Gibraltar Health Authority?

2440 **Clerk:** Answer, the Hon. the Minister for Health, Care and Business.

Minister for Health, Care and Business (Hon. G Arias-Vasquez): Madam Speaker, I will answer this question together with Questions 123 to 125.

2445 **Clerk:** Question 123. The Hon. A Sanchez.

Hon. A Sanchez: Could the Government provide the current number of children aged nought to 18 in Gibraltar who hold a diagnosis for autism spectrum disorder?

2450 **Clerk:** Question 124. The Hon. A Sanchez.

Hon. A Sanchez: Could the Government provide the current number of children aged nought to 18 in Gibraltar diagnosed with developmental language disorder?

2455 **Clerk:** Question 125. The Hon. Sanchez.

Hon. A Sanchez: Could the Government provide information on the current number of children aged nought to 18 in Gibraltar who hold a dual diagnosis of autism spectrum disorder and developmental language disorder?

2460

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

Hon. G Arias-Vasquez: Madam Speaker, it is not possible to accurately determine a time from referral to full assessment of autism spectrum disorder, as the process involves a multidisciplinary team approach with several steps and can be varied depending on the individual case.

2465

The current number of children aged nought to 18 in Gibraltar who hold a diagnosis for autism spectrum disorder within the primary care electronic patient record is 197.

The current number of children aged nought to 18 in Gibraltar diagnosed with a language disorder within the primary care electronic patient record is 721. This figure includes but is not exclusive to developmental language disorder.

2470

The number of children aged nought to 18 in Gibraltar who hold a dual diagnosis of autism spectrum disorder and language disorder is 97. This figure includes but is not exclusive to developmental language disorder.

2475

Hon. A Sanchez: [*Inaudible*] she does not have the figures of those who have been diagnosed with developmental language disorder only?

Hon. G Arias-Vasquez: Yes, that is right. The figures involved are for language disorder but not exclusive to developmental language disorder.

2480

Madam Speaker: Next question. (*Interjection by Hon. A Sanchez*) Yes, go on.

Hon. A Sanchez: Could the hon. Member clarify whether the assessments and the diagnosis for ASD are given by a qualified paediatric consultant locally employed by the GHA on a permanent, full-time basis, or whether we are reliant on a consultant who comes over every so often to carry out the assessments?

2485

Hon. G Arias-Vasquez: My understanding is that from children aged nought to five the consultant comes abroad once a month – it is once every month she comes over – but for the children aged five to 18 it is either the paediatric team or the Mental Health Service team that approves the diagnosis of autism.

2490

Hon. A Sanchez: And in relation to Government Press Release 89/2020 in February 2020, could the hon. Member confirm if the Multi-Disciplinary Autism Assessment Panel (MAAP) is still functional and whether children are still referred to this panel for assessment?

2495

Chief Minister (Hon. F R Picardo): Madam Speaker, I cannot remember a reference to that press release in any of the questions. To be asked in February 2024 whether something that was said in a press release in 2020 is still relevant I think is something of which we would deservedly require notice.

2500

Hon. A Sanchez: Surely the Minister for Health would know if the MAAP is still functional and whether children are being assessed through the MAAP, even if I do not make reference to the press release of 2020.

2505

2510 **Hon. G Arias-Vasquez:** Madam Speaker, I am unable to confirm whether the MAAP is still in existence or not. What I do know is what is currently in existence. There is a neurodevelopmental pathway, which is the ultimate goal, but the stats show that since October 2023 numerous initiatives have been put in place in order to lessen the waiting lists for children waiting for an autism diagnosis. For example, the number of children with ADOS assessments completed is now 27, the number of children on the ADOS waiting list is 47, and, out of these, 28 have been allocated to the Mental Health Service and 19 to the paediatric therapy team, which is what I made reference to before – that some are referred to the paediatric team and some are referred to the mental health team, depending on a decision made by the clinicians in each instance. The number of children who have attended the multidisciplinary team diagnostic clinic is 18, and the number of children awaiting booking in for an MDT diagnostic clinic is nine. So the initiatives in place and the appointments of the senior paediatric support workers have made a significant difference already.

2520 **Hon. A Sanchez:** Madam Speaker, as this progress is being made can the hon. Member say if we are any closer to the publication of the new autism pathways?

Hon. G Arias-Vasquez: The discussion with the team for the neurodevelopmental pathways is progressing, and yes, we are closer.

Q120/2024
Care Agency and ERS breakdown of individual overtime expenses –
Supplementary questions

2525 **Madam Speaker:** Before we go on to the next question, I am going to revisit Question 120 and ask the Hon. Ms Sanchez, in the first instance, whether you have any supplementaries on that.

2530 **Hon. A Sanchez:** Could the hon. Member elaborate on the measures that are in place to control overtime and TOIL and the protocols put in place to monitor and accurately record these hours, and the expenditure incurred as a result?

Hon. G Arias-Vasquez: Madam Speaker, is that a supplementary question? There is a very similar question later on.

2535 **Madam Speaker:** The supplementary was in respect of Question 120. Is that your supplementary in respect of that question?

Hon. A Sanchez: Yes.

2540 **Madam Speaker:** Question 120 provided a schedule, which I gave you some time to look at. Is there anything arising out of that schedule that you want to ask? That was your question in relation to Question 120? That is the question.

2545 **Hon. G Arias-Vasquez:** As can be seen in the Care Agency figures, there is not excessive overtime here. The overtime is reviewed carefully by each manager, and there is a four eyes policy on it. Similarly, in the ERS, all overtime is reviewed by the managers involved.

Madam Speaker: Next question.

Q126/2024

**Deputyship application process –
Guidance notes and support for parents**

Clerk: Question 126. The Hon. A Sanchez.

2550

Hon. A Sanchez: Is the Government contemplating the release of guidance notes on the deputyship application process, and are there initiatives in place to support parents applying for deputyship as their children reach maturity, aiming to alleviate financial burden relating to fees and legal costs?

2555

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

Minister for Health, Care and Business (Hon. G Arias-Vasquez): Madam Speaker, the issue of guidance notes for deputyship applications is a matter for the judiciary.

2560

The Registrar of the Supreme Court issued a Circular to all Chambers – Circular 11/2014 – on 23rd December 2014 containing a Practice Direction by the Chief Justice relating to the filing of applications in the Court of Protection. This can be found on the Gibraltar Courts Service website.

2565

Fees for the filing of applications are set out by the Chief Justice in the Supreme Court Rules 2000. However, a judge may reduce or remit a fee upon request if it appears that owing to exceptional circumstances it would involve undue hardship. Legal assistance to cover legal costs can also be granted in the normal way by the Registrar of the Supreme Court upon application for specified proceedings. No representations have been made to HMGoG by any parent in such circumstances and therefore there is no initiative, other than those described above, in this respect.

2570

Madam Speaker: Next question.

Q127-29/2024

Guardian *ad litem* –

**Criteria re proposal of individuals funded by taxpayer money;
appointments made in court cases where funded by Government or legal assistance**

Clerk: Question 127. The Hon. A Sanchez.

2575

Hon. A Sanchez: Could the Government please state where members of the public can find the criteria used by government agencies to decide whether to propose an individual for the appointment of the role of guardian *ad litem* funded by taxpayer money?

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

2580

Minister for Health, Care and Business (Hon. G Arias-Vasquez): Madam Speaker, I will answer this question together with Questions 128 and 129.

Clerk: Question 128. The Hon. A Sanchez.

2585

Hon. A Sanchez: Could the Government please state what criteria, including experience and qualifications, are used by government agencies when making a decision as to whether an individual is suitable for appointment of the role of guardian *ad litem* funded by taxpayer money?

Clerk: Question 129. The Hon. A Sanchez.

2590 **Hon. A Sanchez:** Could the Government disclose the number of guardians *ad litem* appointed in court cases over the last two years who have been paid for by government agencies and/or by legal assistance?

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

2595 **Hon. G Arias-Vasquez:** Madam Speaker, persons interested in appointment as a guardian *ad litem* should apply in writing to the Chief Executive of the Gibraltar Courts Service enclosing their CV for consideration.

2600 The Gibraltar Courts Service, with approval of the Chief Justice, approves persons for appointment as guardians *ad litem* who are qualified and experienced in social work or who have other suitable experience and who are not professionally conflicted by other work they may undertake.

Guardians ad Litem have been appointed by the Courts in 13 cases since 1st January 2022 to date. All have been or will be paid by the Gibraltar Courts Service.

2605 **Hon. A Sanchez:** The hon. Member mentions 13 cases. Can she confirm whether it was the same individual appointed for all 13 cases, or whether it was a different individual appointed for the 13 different cases?

2610 **Hon. G Arias-Vasquez:** Madam Speaker, unfortunately I do not have that information.

Hon. A Sanchez: One of the questions was for the Government to disclose the number of guardians *ad litem* appointed in court cases over the last two years. Does she have the number of guardians *ad litem* that have been appointed? I did not ask for the number of cases; I asked for the number of guardians *ad litem*. Does she have this information?

2620 **Hon. G Arias-Vasquez:** Madam Speaker, the way it was phrased is 'guardians *ad litem* have been appointed by the courts in 13 cases'. I am unaware if it is 13 instances of the same individual, 13 individuals appointed or seven individuals appointed twice and one additional one.

Hon. A Sanchez: The hon. Member says 'in relation to criteria and qualifications, social work and other suitable experience'. Can she expand on 'suitable experience'?

2625 **Chief Minister (Hon. F R Picardo):** Madam Speaker, this is not something which the Government decides, and so therefore I would refer the hon. Lady to the references in the Children Act which make it an issue for the judiciary to determine on application whether somebody hits that standard or not. This is not something for which we are answerable. It is a matter in the independent purview of the judge in each case. I am probably addressing that to a person who has had more experience than any of us here.

2630 **Madam Speaker:** I am having difficulty keeping quiet on this. *(Laughter)*

Hon. Dr K Azopardi: Can I ask, just on the on the rates of payment, how does that work? Does the Minister have information on that? What are the rates of payment for those individuals?

2635 **Hon. G Arias-Vasquez:** Madam Speaker, if I can refer the hon. Member to section 92(8)(c) of the Children Act, reference is made there to regulations which set out the payment by the agency of fees.

2640 **Hon. Dr K Azopardi:** I see, so is the Minister saying that the rates would be found in those regulations? Does she have it with her, or is she referring me to those?

2645 **Hon. G Arias-Vasquez:** Madam Speaker, regulations, as the hon. Member is well aware, are public documents and I presume that the rates are set out there as permitted under the Children Act.

2650 **Hon. A Sanchez:** Because I understand that the hon. Member may have misunderstood it by the way that it was written, would she be able to send me the number of guardians *ad litem* currently on the register at a later date?

Hon. G Arias-Vasquez: Madam Speaker, I do not think the question was misunderstood. The question is answered as the question has been asked. If the hon. Member wishes to write to me, I am very happy to clarify any doubts that she may have.

2655 **Hon. Dr K Azopardi:** With respect, if there was a misunderstanding, we suggest the misunderstanding was on the Government side because it says, 'Could the Government disclose the number of guardians *ad litem* ...?' The *number* of guardians *ad litem*. The Minister has responded with the number of cases in respect of which there has been a guardian *ad litem* appointed. That is a different answer. What we have asked is 'disclose the number of guardians *ad litem*'. So, with respect, we think we should not be writing to the Government. We invite the hon. Lady, who has misunderstood the question – or her officials – to write to us with the answer to the question that we posed.

2665 **Hon. Chief Minister:** Madam Speaker, we completely disagree. We think that the wording of the question does not lead to the conclusion that the hon. Gentleman suggests. We think we have answered it properly. We think we have answered it in a way that gives them the information that they want, and if they think that we have not, they have the option of either writing to us and setting out in a clearer way what it is that they want, or asking the question next time in a clearer way and we will provide it.

2670 **Madam Speaker:** Any other supplementary, or I will move on to the next question?
Next question.

Q130/2024
Maritime fuel –
Plans for diversification

Clerk: Question 130. The Hon. G Origo.

2675 **Hon. G Origo:** Madam Speaker, does the Government have any plans to diversify from the sale of fossil fuel trade and move away to cleaner fuels like ammonia in line with the reported trends from the global maritime industry?

2680 **Clerk:** Answer, the Hon. the Minister for Health, Care and Business.

Minister for Health, Care and Business (Hon. G Arias-Vasquez): Madam Speaker, HM Government of Gibraltar is making significant progress in supporting the transition of the maritime industry towards greener fuels and ultimately transitioning away from fossil fuels. It must be

noted, however, that the advent of greener fuels such as ammonia are at the nascent stages, in the same way that possible other greener fuels include methanol and hydrogen, among others.

2685 HM Government of Gibraltar, through the Gibraltar Port Authority, is keeping up to date with developments in the industry as the pilot schemes testing the viability of these new fuels and, more importantly, the source of these new fuels is being explored.

2690 As an example, the hon. Member mentions ammonia, and whilst ammonia is readily available as a manufactured product in support of agriculture in industrial quantities, this type of ammonia is considered brown ammonia. Its manufacture comes at a very significant cost in terms of greenhouse gas emissions and other impacts to the environment, thereby negating any benefit from transitioning to this fuel from a climate benefit perspective.

2695 The interesting developments which are being trialled at this point involve green ammonia and blue ammonia. Green ammonia is ammonia that has been produced in a 100% renewable and carbon-free process. Blue ammonia is a different manufacturing process that involves production of ammonia with the addition of carbon capture at the manufacturing stage. These are the forms of ammonia that can potentially deliver significant climate benefits to shipping and many other sectors. Unfortunately, at present, production of both blue and green ammonia are at small-scale trial stage, which, although offering promise, are still pending development into large scale processes to meet the demands of the maritime industry. A similar situation exists with regard to other future fuels such as hydrogen and methanol.

2700 In the meantime, HM Government of Gibraltar is proud of the role that Gibraltar plays in facilitating and supporting the transition towards greener fuels in the present. Gibraltar is one of the very few ports worldwide that can offer both conventional fuels as well as LNG fuel and biofuel deliveries to vessels opting to take up these currently viable fuels, which are already available in industrial scale, to reduce their environmental impact. In particular, LNG is a fuel which is readily available and has a significant part to play in the energy transition, whilst the biofuel scenario is seeing greater uptake and consequently a significant ramping up of production capacity worldwide.

2705 In the meantime, HM Government of Gibraltar is proud of the role that Gibraltar plays in facilitating and supporting the transition towards greener fuels in the present. Gibraltar is one of the very few ports worldwide that can offer both conventional fuels as well as LNG fuel and biofuel deliveries to vessels opting to take up these currently viable fuels, which are already available in industrial scale, to reduce their environmental impact. In particular, LNG is a fuel which is readily available and has a significant part to play in the energy transition, whilst the biofuel scenario is seeing greater uptake and consequently a significant ramping up of production capacity worldwide.

2710 **Madam Speaker:** Next question.

Q131/2024
Electricity generated in Gibraltar –
Breakdown by source

Clerk: Question 131. The Hon. G Origo.

2720 **Hon. G Origo:** Can the Government provide details as to the actual amount of electricity generated in Gibraltar in megawatts between the period of the first day of January to the 31st day of December, broken down by the source from where the electricity was generated, for the following years: 2019, 2020, 2021 and 2022?

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

2725 **Minister for Health, Care and Business (Hon. G Arias-Vasquez):** Madam Speaker, I now hand over schedule with the information requested.

Answer to Question 131/2024

Answer to Question 131

The total amount of power generated from the 1st day of January to 31st day of December for 2019, 2020, 2021, and 2022, is shown in the table below in MWh:

Year	Total
2019	226,315.55
2020	224,907.73
2021	226,206.64
2022	225,647.34

The totals provided are further broken down by source in the table below in MWh:

Year	North Mole Power Station	Energyst (North)	Energyst (South)	South District Power Station	SO Energy	Gibraltar Mechanical & Electrical Services Ltd	Himoinsas	Waterport Power Station	Renewable Energy
2019	85,753.10	82,779.34	24,936.30	14,082.58	285.68	86.22	284.32	17,076.90	1,031.11
2020	149,675.80	62,073.92	8,011.57	956.14	-	-	-	2,925.60	1,264.70
2021	182,315.40	41,383.74	609.93	-	-	-	-	-	1,897.57
2022	188,892.00	33,917.86	673.96	-	-	-	-	-	2,163.52

Note that the fuel combusted at the North Mole Power Station is almost in its entirety natural gas.

Madam Speaker: Whilst we give you time to consider that, we will move on to the next question.

2730

Clerk: Question 132. The Hon. J Ladislaus.

Chief Minister (Hon. F R Picardo): Sorry, Madam Speaker, I know we are about to change subject and that the Hon. the Minister for Health, Care and Business and just about everything else has a large number of questions left, which I do not think we would be able to get through today if we were to try to continue to plough through them. I was going to propose that after this question we should adjourn until tomorrow at three o'clock, deal with my questions, and then, after that, deal with the balance of the questions due to the hon. Lady.

2735

I am conscious that there may be supplementaries on this one, and you may therefore want to consider allowing those supplementaries, and then I would move the adjournment.

2740

Madam Speaker: The Hon. the Chief Minister is referring to Question 131, taking supplementaries on that now before introducing a new question.

2745

Hon. Chief Minister: Before I move the adjournment.

Madam Speaker: All right. Are you in a position to formulate any supplementaries? Yes, the Hon. Mr Origo.

2750

Hon. G Origo: I am grateful to the hon. Lady opposite for the breakdown of the table provided, and I can see, from the statistics that have been given, the numbers are much in line with those that were provided for the year 2022-23, so I put the following question with the following preamble to the hon. Lady.

2755 In 2019, the Gibraltar Parliament declared a state of climate emergency. We enacted
legislation to tackle this climate emergency and made the commitment to reach net zero by 2045.
Given that we have only been averaging 1% in renewable energy output for the last five years, can
the Government really say that it is taking this climate emergency seriously?

2760 **Hon. G Arias-Vasquez:** Madam Speaker, yes, we are.

Hon. G Origo: I am grateful. Madam Speaker, I refer to the Climate Change Strategy of 2021,
where the Government published its ambitious plans to increase the share of Gibraltar's
renewable energy to 20% by 2025, 50% by 2030 and 70% by 2045. What steps will the Government
be taking to reach these targets, given that the first target enshrined is 20% by 2025 and is now
2765 just some months away, and we are currently only averaging 1%?

Hon. G Arias-Vasquez: Madam Speaker, we are taking steps constantly to improve our solar
power and discussions are currently taking place with numerous big players to provide a bigger
proportion of solar energy in particular.
2770

Hon. G Origo: I am grateful. Madam Speaker, would the hon. Lady opposite not then agree
that given the target of 20% by 2025 just being some months away, and the fact that we are
currently at 1%, this target is actually not going to be attainable?

2775 **Hon. G Arias-Vasquez:** Madam Speaker, not necessarily.

Hon. Dr K Azopardi: Will the Minister agree that given the figures that my hon. colleague has
just put in his supplementaries, a number of supplementaries, and given the target that the
Government has, there have to be radical improvements next year for them to get anywhere close
2780 to their target? Isn't that the case?

Chief Minister (Hon. F R Picardo): Well, Madam Speaker, there has to be an improvement of
19%. It does not seem so radical to me that we might be able to get very close, because once you
prove the concept you can move very quickly to increase the amount that you take. In fact, I was
2785 trying to identify the article I had read, to refer to the hon. Gentleman privately, that there is now
a huge improvement in the type of solar panel that you can use, and the solar panels of the future
produce more than 20 times the power that the current solar panel produces, and those solar
panels of the future are going into production already. So it might not be so radical a change that
is required.

2790 We do not agree that there are just months to go, because when you say there are just months
to go, as has been said in one of the two supplementaries that we have had on this subject – and
obviously a number of supplementaries have been asked, but in the two supplementaries that we
have had – actually, by our count there are closer to 22 months left than just months to the end
of 2025, which was when we would have to meet the target. We would hope that in trying to
2795 meet the target we would have the full and fulsome support of all Members of the House.

Hon. C Sacarello: Madam Speaker, I think this reflects the Government's lack of willingness to
look at diversification of the portfolio of renewable energy, but wouldn't the Hon. Chief Minister
agree that it might make sense to implement the long talked about smart metering system, which
2800 would enable individual households to contribute to the grid and reduce the strain on government
resources? Smart metering was something mooted in 2017. I have had personal experience and
discussions with Minister Cortes on this and it is something which to date, to my knowledge, has
yet to be rolled out large scale. So my question is: will the Government be implementing this; and
if so, how soon will the smart metering be implemented?
2805

Hon. Chief Minister: Madam Speaker, my understanding is that we are already rolling out smart meters and that the new meters are smart meters, so we do not accept that we are not committed, far from it. In fact, we are totally committed. That is why we are the ones who brought the motion on the climate emergency to the House, that is why the Father of the House, in the course of his speech, which dealt with the economics of the future of Gibraltar, not just the public finances, dedicated an important part of his speech to the issue of the climate emergency, that is why we have been taking steps in this direction for some time, and that is why G1 is now an electric vehicle and not a diesel-burning or petrol-burning vehicle: to show our commitment to these issues, both in terms of the emissions that we create when we generate electricity and the emissions that we create when we use vehicles. And so the hon. Gentleman's premise, which is that we are not committed to dealing with the climate emergency, is a false premise, which we do not, for one moment, accept.

Hon. C Sacarello: Madam Speaker, I would like to thank the Hon. Chief Minister for his reply. Whil Hon. C Sacarello: st I do not disagree that the Government is committed – clearly the Bill was passed – what I am questioning is the practicality of the rollout and their commitment in terms of results, because at the end of the day it is a results-driven process that leads to success in this particular area. As a result, I re-ask the question: when will the smart metering allowing individual households to feed electricity back into the system be rolled out across all of Gibraltar?

Hon. Chief Minister: Madam Speaker, the hon. Gentleman now has not repeated his question, although he said what he was doing was repeating his question. He asked us when we were rolling out smart meters. Now that I have told him that we are starting to roll out smart meters, he has asked me when we are going to roll them out across the whole of Gibraltar. It would be impossible for any Government of any party political complexion to roll out smart meters across the whole of Gibraltar: first of all, because you could not get them; second, because it would cost hundreds of millions to do so; and third, because you would not have the manpower to do so. Rolling them out means what? Rolling them out in one month, so that the whole of Gibraltar has them in one month, or rolling them out over 150 months, which is 12 years? The hon. Gentleman is being insufficiently precise in the way that he is postulating his question, which shows that his thinking on these issues is insufficiently precise.

What we are doing is trying to hit the deadlines in the climate emergency legislation that we brought to this House. We are committed to doing so. We think that this is the right way to do so. Diversification of different forms of renewable energy is an issue, but it is a complex issue in Gibraltar. The tidal energy work is not yet sufficiently mature to be able to bring it to Gibraltar. Wind energy in Gibraltar is not as easy as it is around us. Solar is the most reliable. Solar is improving. Already, we are producing a serious percentage from solar. We think we can produce even more. The Minister for the Environment is not here. He has this data also at his fingertips.

Madam Speaker, we believe that we are not just committed, we are rolling out in the right way. We will hit the targets, we are committed to hitting the targets. We know that having implemented our LNG power station, although that is a fossil fuel, we are emitting a lot less noxious fumes, and we know that therefore we did the right thing when we stopped the grimy, smelly, diesel power station that they wanted to put at the Upper Rock Nature Reserve, in the area of Lathbury, which would have blighted the views to the south. We think we are doing the right thing, and the public, on balance, thought we were too. That is why we are here and they are there.

Hon. C Sacarello: Madam Speaker, I am grateful. That was a very elaborate answer involving a lot of smoke and mirrors, but can I ask the Hon. Chief Minister to confirm when individual households will be able to feed back into the grid?

2860 **Hon. Chief Minister:** Madam Speaker, that is a completely different question, and to preface
it by a suggestion that somehow my answer involved smoke and mirrors is only to try to break
down the detail of what I am talking about. The smoke I was talking about was the smoke that
would have been emitted from the diesel generating sets that they were committed to. The
mirrors are the solar panels that we are using to generate electricity. I assume that is what he is
saying. He has moved the question on to far beyond what the original question is. If he wants to
know when we will have the ability for each household in Gibraltar to generate its own electricity
and feed it back into the grid, I am afraid I am not able to tell him when we will be able to do that
2865 because the majority of people in Gibraltar live in flats and they would find it very difficult to set
up solar panels unless they do it on their balconies or on their windows.

Madam Speaker: We will not take any more questions today.

Adjournment

2870 **Chief Minister (Hon. F R Picardo):** Madam Speaker I move that the House should now adjourn
to tomorrow at three o'clock to deal with questions to me and thereafter to continue and finalise
the questions to the Hon. Minister for Health, Care and Business.

Madam Speaker: I now propose the question, which is that this House now adjourn to
tomorrow at 3 p.m.

2875 I now put the question, which is that this House do now adjourn to tomorrow at 3 p.m. Those
in favour? **(Members: Aye.)** Those against? Passed.

This House will now adjourn to tomorrow at 3 p.m.

The House adjourned at 7.35 p.m.