



## **What is the “Gag Clause”?**

In essence, there are two major “Gag Clauses” in the Integrity Commission Act (ICA). One is embodied in Section 53 (3) and the other in Section 56 (1).

The ‘Gag Clause’ in Section 53(3) of the Integrity Commission Act prohibits the Integrity Commission (IC) from telling the public about its investigations before the relevant report of the investigation is tabled in Parliament.

Additionally, Section 56(1) of the ICA requires employees of the Commission to treat all information, statutory declarations, government contracts, prescribed licences and all other matters that relate to any matter that is before the Commission, as secret and confidential.

A breach of the foregoing constitutes a criminal offence that is punishable by a fine not exceeding \$1M or imprisonment not exceeding one year.

Click the link below to see the Commission’s full recommendations for amendment to the “Gag Clauses,” in the 2021- 2022 Annual Report, pages 27, 33-39:

[https://integrity.gov.jm/sites/default/files/annual\\_report/IC%20Annual%20Report%20for%20the%20FY%202021-2022.pdf](https://integrity.gov.jm/sites/default/files/annual_report/IC%20Annual%20Report%20for%20the%20FY%202021-2022.pdf)