



Any reply or subsequent reference to this communication should be addressed to the **Contractor-General** and the following reference quoted:-

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MEDIA RELEASE

OFFICE OF THE CONTRACTOR GENERAL CONCLUDES INVESTIGATION INTO ALLEGATIONS OF IRREGULARITY SURROUNDING AN ALLEGED PROPOSAL BY SPORTSMAX LIMITED TO SUPPLY SERVICES TO CAYMANAS TRACK LIMITED

Kingston, January 22, 2009 – The Office of the Contractor General (OCG) has concluded its Special Investigation into allegations of irregularity surrounding an alleged proposal by SportsMax Limited, a cable subscription company, to supply satellite services for simulcast racing from South Africa and the United Kingdom to Caymanas Track Limited.

The OCG's Investigation was formally initiated on July 18, 2008 and was prompted by certain allegations which had appeared in the July 6, 2008 edition of the *Sunday Herald* Newspaper. The *Herald* article in which the allegations were made was entitled: "*Rousseau in powwow: SportsMax deal shrouds CTL Chairman in 'conflict of interest' rap*".

As is required by Section 20 (1) of the Contractor General Act, copies of the OCG's 187 page Report of Investigation into the matter have today been despatched by the Contractor General to Senator the Hon. Don Wehby, Minister without Portfolio in the Ministry of Finance and the Public Service, Mr. Randall Soth, General Manager/CEO (Acting), Caymanas Track Limited, and Ms. Sharon Crooks, the Financial Secretary.

In the exercise of the discretionary powers that are reserved to a Contractor General by Section 28 (2) of the Contractor General Act, as well as in keeping with the mandatory requirements of Section 21 of the Act, the Contractor General has also today formally conveyed copies of the Report to the Honourable Speaker of the House of Representatives, the Honourable President of the Senate and the Clerk to the Houses.



Section 28 (3) of the Contractor General Act requires the Speaker and the President to have the Report tabled in both Houses of Parliament ‘*as soon as possible*’.

The Contractor General, in compliance with the statutory obligations that are imposed upon him by Section 21 of the Contractor General Act, will also be despatching copies of the Investigation Report to the Director of Public Prosecutions, the Commissioner of Police, the Corruption Prevention Commission, the Attorney General and the Auditor General for such action as any or all of them may deem to be appropriate having regard to the evidence that the OCG has found in the matter. It is critically instructive to emphasize that Section 21 of the Contractor General Act provides as follows:

“If a Contractor General finds, during the course of his investigations or on the conclusion thereof that there is evidence of a breach of duty or misconduct or criminal offence on the part of an officer or member of a Public Body, he shall refer the matter to the person or persons competent to take such disciplinary or other proceeding as may be appropriate against that officer or member and in all such cases shall lay a special report before Parliament”.

Copies of the supporting sworn written statements that were provided by witnesses and respondents during the course of the OCG’s Investigation, and which were formally declared by them before a Justice of the Peace to be true, will also be forwarded by the OCG to the relevant authorities.

The referenced statements were formally rendered (a) pursuant to the Contractor General Act, the Voluntary Declarations Act and the Perjury Act, and (b) in direct response to the formal Statutory Requisitions of the OCG which were issued during the course of the Investigation and upon which the OCG’s formal Findings, Conclusions, Referrals and Recommendations are wholly founded.

In compliance with Section 20 (2) of the Contractor General Act, formal notices, regarding the substance of the OCG’s Investigation Report, have been prepared and will be despatched by the OCG to the persons whom the Report may “*reflect adversely upon*”.

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