



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

No. :

TELEPHONE No.:876-929-8560/6466

FAX No. : 876-929-2476

E-mail: communications@ocg.gov.jm

OFFICE OF THE CONTRACTOR-GENERAL

PIOJ Building

16 Oxford Road

P.O. BOX 540

KINGSTON 5

JAMAICA, W.I

MEDIA RELEASE

**OCG Files Affidavit in Response to Transport Minister's Application for
Judicial Review of OCG's Requisition to IOP**

Kingston; July 6, 2012 –Attorneys for the Office of the Contractor General (OCG) have today filed an Affidavit in the Supreme Court in response to the Application that was recently lodged in the Courts by the Minister of Transport, Works and Housing, Dr. the Hon. Omar Davies.

Dr. Davies, in his Application, has sought, among other things, to restrain the OCG from securing information from the Government's Independent Oversight Panel (IOP), and also from monitoring and investigating the Panel's activities, and from reporting on the said activities.

The IOP was established in April by the Minister to oversee the contract negotiation and award processes which are to be associated with three (3) US multi-million dollar mega projects – the North-South Link of Highway 2000, the Fort Augusta Container Terminal, and the Gordon Cay Container Trans-Shipments Hub.

The OCG, which is an Independent Anti-Corruption Commission of Parliament, acting under powers that are reserved to it by the Contractor General Act, had, on May 14, 2012, issued a Statutory Requisition to the three (3) members of the IOP requiring them, among other things, to routinely submit to the OCG, formal written reports outlining the material particulars of their deliberations and communications, as regards the projects.

The OCG, which is being represented in the case by eminent Queen's Counsel, Jacqueline Samuels-Brown, intends to vigorously oppose Dr. Davies' Application, and will leave no stone unturned in seeking to have its legal contentions adjudicated before the Courts.

The OCG believes that what is at stake in this matter are fundamental principles of good governance and, in particular, the ideals of transparency and accountability in public contracting in Jamaica.

The OCG remains confident about its positions and, in fact, has already secured, from Mrs. Samuels-Brown, a comprehensive written Legal Opinion, dated June 20, 2012, which has addressed the question of *"the legality of the establishment of the IOP and of the OCG's Requisitions in relation to same"*, and which has confirmed the legal validity of the said OCG positions.

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Contact: The Communications Department, Office of the Contractor General of Jamaica
C/o Craig Beresford, Senior Director of Monitoring Operations, Corporate Communications and Special Projects
E-mail: communications@ocg.gov.jm. Tel: 876-929-8560; Direct: 876-926-0034; Mobile: 876-564-1806