



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

OFFICE OF THE CONTRACTOR-GENERAL
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No. :

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September 28, 2006

Mr. Kent Pantry, QC
Director of Public Prosecutions
Office of the Director of Public Prosecutions
King Street
Kingston

Dear Director:

I refer to my letter to you of January 17, 2006 wherein I had sought the opportunity to pay a Courtesy Call upon you in my capacity as the then newly appointed Contractor General. Your schedule then, and the passage of time since, have so far denied us both the facility of meeting.

I would now therefore like to reactivate my request and should be grateful if we could possibly meet at your very earliest opportunity.

One of the matters in respect of which I would like to seek your formal advice relates to the circumstances which would give rise to the commission of a criminal offence under Section 29 (a) & (b) of the Contractor General Act as well as the procedure which should be utilized by the Office of the Contractor General (OCG) to initiate formal proceedings under that Section.

Section 29 (a) and (b) provide thus:

"29. Every person who –

- (a) willfully makes any false statement to mislead or misleads or attempts to mislead a Contractor General or any other person in the execution of his functions under this Act; or*
- (b) without lawful justification or excuse –*
 - (I) obstructs, hinders or resists a Contractor General or any other person in the execution of his functions under this Act; or*
 - (II) fails to comply with any lawful requirement of a Contractor General or any other person under this Act*

...

shall be guilty of an offence and shall be liable on summary conviction before a Resident Magistrate to a fine not exceeding five thousand dollars or to imprisonment for a term not exceeding twelve months or to both such fine and imprisonment."

The OCG would also like to secure your formal and specific advice as to how it should proceed against a Public Body which fails to comply with an OCG Requisition, dated July 11, 2006, requiring the submission, on a quarterly basis, of certain Public Body contract award information by specified dates.



(2)

In this regard, I am enclosing, herewith, for your ease of reference, the following documents:

- (a) Copy - Subject Requisition, dated July 11, 2006
- (b) Copy - Quarterly Contract Awards (QCA) Report Form
- (c) Copy - Instructions for Completing Quarterly Contract Awards (QCA) Report Form
- (d) Copy - Some Justifications for Requisition

I shall look forward to your early reply.

Kindly accept my sincere gratitude and best regards.

Very respectfully yours,

Greg Christie (Signed)

Greg Christie
Contractor General

Enclosure.