



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

No. :

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PRESS RELEASE

CONTRACTOR GENERAL COMMENCES FORMAL INVESTIGATION INTO GOJ-TRAFIGURA BEHEER CONTRACT

The Office of the Contractor General has initiated a formal investigation into the circumstances surrounding the award of a contract by the Government of Jamaica to Trafigura Beheer.

The announcement of the investigation was outlined in a letter which was written by Contractor General, Greg Christie, to the Minister of Industry, Technology, Energy & Commerce, the Hon. Phillip Paulwell.

The Contractor General's letter, which was dated, yesterday, October 9, 2006, outlines several requisitions for specific pieces of information and the provision of evidentiary documentation which must be satisfied by the Minister by October 23, 2006.

The letter was copied to the President of the Senate, the Speaker of the House, the Prime Minister and the Leader of the Opposition, among others.

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A full verbatim transcript of the letter follows:

“October 9, 2006

The Hon. Phillip Paulwell
Minister of Industry, Technology, Energy & Commerce
Ministry of Industry, Technology, Energy & Commerce
PCJ Building
36 Trafalgar Road
Kingston 5

Dear Minister Paulwell:

Re: Alleged Contract Award by the Government of Jamaica (GOJ) to Trafigura Beheer

As you are aware, the captioned matter has been the subject of extensive media reports over the past six days. Significant public interest and commentary have also arisen over the matter as well as over a number of issues which are associated therewith.

The Office of the Contractor General (OCG) has therefore taken a decision to commence a formal investigation into the circumstances which surround the award of the subject Contract.

It is our understanding that the matter falls within the portfolio purview of the Ministry of Industry, Technology, Energy & Commerce.

In the premises, and further to the responsibilities, rights and powers which are vested in me by the Contractor General Act and particularly by Sections 4, 15, 16, 17 and 18 of the Act, you are now hereby required to furnish the following preliminary information as regards the subject Contract:

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1. Full name, address, telephone, email and representative contact particulars of Contractor;
2. Date of execution of Contract;
3. Name of GOJ Public Body which executed contract;
4. Names and titles of all Signatories to Contract;
5. Brief description of services to be rendered under Contract by Contractor;
6. Consideration to be paid by GOJ to Contractor;
7. Whether any collateral or ancillary services, benefits and/or payments were provided for under, or contemplated by, the Contract;
8. Method of Tender Process utilized to award Contract (Selective Tender, Limited Tender or Sole Source);
9. Whether Contract endorsed by National Contracts Commission (NCC) prior to award;
10. Whether Contract approved by Cabinet prior to award;
11. If yes, dates of NCC endorsement and/or Cabinet approval;
12. If Contract was negotiated, state how, when, by whom (on the GOJ's side) and with whom (on the Contractor's side);
13. State whether Contract was subsequently renewed;
14. If yes, indicate:
 - (a) dates of all renewals;
 - (b) process utilized to secure each such renewal;
 - (c) whether each Contract renewal received prior NCC endorsement and/or Cabinet approval;
 - (d) if yes, the dates of each such NCC endorsement and Cabinet approval;
 - (e) if any Contract renewal was negotiated, state how, when, by whom (on the GOJ's side) and with whom (on the Contractor's side).
15. State whether there are/were any other agreements between the Contractor, on the one hand, and the GOJ and/or any Public Official, on the other, which are/were collateral to the Contract or which are/were directly or indirectly linked to, or conditioned upon, its execution or performance;

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16. If yes, provide full particulars of all such agreements, inclusive of their material terms; the names of their parties; full particulars of how, when, by whom and with whom the agreements were negotiated; full particulars of any payments which were made or which are to be made thereunder; full particulars of the payor(s) and the payee(s); and full particulars of the disposition of any and all payments which to date have been made by the Contractor or other person(s) under any such agreement.

You are also required to provide the OCG with authentic copies of documents to substantiate and corroborate all answers which are provided to the foregoing requisitions. Copies of all Contracts and agreements must also be provided. The requisitions and the provision of all evidentiary documentation must be fully satisfied before 12:00 Noon on Monday, October 23, 2006.

I should also wish to direct your attention to the provisions of Section 29 (a) and (b) of the Contractor General Act.

Having regard to the gravity of this matter and the significant public interest which has attended same, I am copying my letter to the President of the Senate, the Speaker of the House, the Most Honourable Prime Minister and the Leader of the Opposition, among others.

In the exercise of my discretionary powers under Section 28 (2) of the Contractor General Act, I should also like to advise that I will be submitting, in due course, a report or reports on this matter to the Parliament of Jamaica.

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Very respectfully yours,

Greg Christie (Signed)

Greg Christie
Contractor General

CC. Senator The Honourable Syringa Marshall-Burnett, CD, President of the Senate
The Honourable Michael Peart, M.P., Speaker of the House of Representatives
The Most Honourable Portia Simpson-Miller, MP, ON, Prime Minister of Jamaica
Mr. Bruce Golding, M.P., Leader of the Opposition
Senator The Honourable Arnold J. Nicholson, QC, Minister of Justice and Attorney General
Dr. The Honourable Carlton Davis, O.J., Cabinet Secretary
Dr. Jean Dixon, Permanent Secretary, Minister of Industry, Technology, Energy & Commerce”

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Contact: Claudia Williams
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Office of the Contractor-General
17 Knutsford Boulevard
Kingston 5
Phone: 929-6460

Date: October 10, 2006