



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 RESPONDS TO CALL FOR INVESTIGATION INTO ALLEGED 'FINANCIAL RELATIONSHIP' BETWEEN THE PRIME MINISTER AND CONTRACTOR Y.P. SEATON AND ASSOCIATES

Kingston; June 22, 2011 – The Office of the Contractor General (OCG) has taken note of recent news reports in which the Opposition People’s National Party (PNP) has called “...*for an official investigation by the Contractor General, the Auditor General, the Parliamentary Integrity Commission and the Ethics Committee of Parliament into the financial relationship involving Prime Minister Bruce Golding, Mike Henry, the Minister of Transport and Works other Jamaica Labour Party (JLP) officials and building contractor, YP Seaton and Associates*”. (RJR News; June 21).

Reports are that the “... *call by the PNP comes against the background of what the Opposition said it views as the inappropriate and highly irregular reported payment by YP Seaton and Associates for the plane tickets for the Prime Minister and his son Stephen, who are said to be on a bird shooting vacation in Paraguay in South America*”. (RJR News; June 21).

The primary jurisdictional mandate of the OCG, as is prescribed by Sections 4 (1) and 15 of the Contractor General Act, is the monitoring and investigation of Government contract awards to ensure that such contracts are awarded impartially and on merit, and that the circumstances in which each contract is awarded or, as the case may be, is terminated, do not involve impropriety or irregularity.

If, therefore, the substance of the referenced allegation is that the Prime Minister has merely received a gift from Y.P. Seaton and Associates Limited, and there is credible evidence to support the veracity of the allegation, then the matter, in the OCG’s considered view, should be directed to the Commissioner of Police and/or the Director of Public Prosecutions, and not the OCG.

Section 4 (3) (g) of the October 2010 Government of Jamaica Handbook of Public Sector Procurement Procedures (HPSPP), which came into force on January 2, 2011, expressly provides that “*Public Officers shall not accept gifts from current or potential GOJ contractors*”.

Additionally, Sections 1 and 3 (a) of the First Schedule to the December 2008 Public Sector Procurement Regulations prohibit Public Officers who are “*concerned in any aspect of the process of public sector procurement*” from accepting gifts from a “*prospective contractor*”.



Section 40 of the Public Sector Procurement Regulations criminalizes any breach of the foregoing provisions of the HPSPP, and the Regulations, by making same a criminal offence which is punishable, on summary conviction in a Resident Magistrate's Court, to a fine not exceeding \$1,000 and/or to imprisonment for a term not exceeding 3 months.

It is critical to note that, currently, the Cabinet of the Government of Jamaica, whose Chairman is the Prime Minister, is required to approve all recommendations for the award of Government contracts in any instance in which the value of the proposed contract award exceeds \$30 Million.

Consequently, the Prime Minister and all Members of the Cabinet can be properly deemed, for the purposes of the Procurement Regulations, to be "*public officers who are concerned in (an) aspect of the process of public sector procurement*".

It is also instructive to note that Y.P. Seaton & Associates Limited is, in point of fact, a long standing Government of Jamaica contractor.

A search of the OCG's database of Government contract award recommendations, which have been endorsed by the National Contracts Commission (NCC), has disclosed that a grand total of 35 endorsements in the aggregate sum of \$2.698 Billion have been made in favour of Y.P. Seaton & Associates Limited, between May 2001 and November 2010.

The search has also disclosed that 17 of the 35 endorsements, amounting to as much as \$2.306 Billion of the overall aggregated endorsed sum of \$2.698 Billion, were effected since October 1, 2007.

It should be noted also that the referenced data is concerned solely with direct Government of Jamaica contract awards. They do not in any way include contracts which may have been received by Y.P. Seaton & Associates Limited in its capacity as a sub-contractor and, for example, as a sub-contractor under the US\$400 Million Jamaica Development Infrastructure Programme (JDIP).

-END-

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