



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

OFFICE OF THE CONTRACTOR GENERAL REGISTERS UNPRECEDENTED 100% QCA REPORT COMPLIANCE RATE FOR THE FOURTH CONSECUTIVE QUARTER – IMPORTANT LESSONS TO BE LEARNED SAYS CONTRACTOR GENERAL

Kingston, Jamaica; February 8, 2010 – The rigidly enforced Zero Tolerance Policy of the Office of the Contractor General (OCG), which was first introduced in October 2006 to combat Public Bodies who refused to comply with the lawful requisitions of the OCG, has again succeeded in producing an unprecedented and record 100% compliance rate for the **fourth** consecutive quarter running and for the entire 2009 year.

All 197 Public Bodies, whose contract award activities are currently being monitored by the OCG, were declared fully compliant in filing their 2009 4th Quarter Contract Award (QCA) Reports to the OCG by the stipulated deadline date of February 1, 2010.

At the time of the implementation of the Policy by Contractor General, Greg Christie, the Public Body QCA submission compliance rate was a mere 13%.

QCA Reports are required to be filed with the OCG, in arrears, within one month after the ending of each quarter. The Policy dictates that a failure on the part of any Public Body to comply, results in the automatic referral of the head of the delinquent Public Body to the Director of Public Prosecutions (DPP).

Section 29 (b) (ii) of the Contractor General Act makes it a criminal offence for any person who, without lawful justification or excuse, fails to comply with a lawful requirement of a Contractor General. In 2007 and 2008, over 110 Public Bodies were referred by the OCG for prosecution pursuant to the Policy. No exceptions to the Policy have ever been allowed by the Contractor General in the 3 year period that it has been in force.



While the OCG wishes to recognize the demonstrated efforts of the country's senior Public Officials to comply with the OCG's lawful Requisitions, the OCG nevertheless believes that there are important lessons to be learnt from the success of its Zero Tolerance Policy. The following are the comments of Contractor General, Greg Christie, regarding the matter:

"It is an incontrovertible fact that the criminal laws of Jamaica will continue to be broken, wantonly and with impunity, unless and until those who are responsible for enforcing the law do just that".

"The OCG's experience also demonstrates that there is no such thing as 100% voluntary compliance with any law. There will always be transgressors who must be forced into compliance. And the way to do that is to send a strong, unequivocal and unmistakable signal that no matter whom you are, what your station in life is, or how minor your transgressions may be, if you violate the criminal laws of our country, you will pay. That was the signal which was sent by the OCG's Zero Tolerance Policy".

"It is for this reason that the OCG wishes to place upon record its gratitude to the former DPP, Mr. Kent Pantry, QC and Mr. Dirk Harrison, the then Acting Deputy DPP, without whose courage and fearlessness, the OCG's Zero Tolerance Policy would not have been successful".

It was Mr. Pantry, in February 2008, just before he demitted office, who took the unprecedented step to initiate criminal prosecution proceedings against the Accounting or Senior Accountable Officers of 17 of the Public Bodies that had failed to comply with the lawful Requisitions of the OCG. The prosecutions were eventually marshaled in the Half Way Tree Resident Magistrate's Court by Mr. Harrison after the incumbent DPP, Ms. Paula Llewellyn, QC, assumed office on March 5, 2008.

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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