



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

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MEDIA RELEASE

OFFICE OF THE CONTRACTOR GENERAL CONCLUDES SPECIAL INVESTIGATION INTO THE DIVESTMENT OF AIR JAMAICA'S LONDON HEATHROW SLOTS TO VIRGIN ATLANTIC AIRWAYS LIMITED

Kingston; March 31, 2009 – The Office of the Contractor General (OCG) has concluded its Special Investigation into the Divestment of Air Jamaica's London, Heathrow Slots to Virgin Atlantic Airways Limited.

The Investigation was initiated by Contractor General, Greg Christie, on 2008 April 23 following the formal referral of the matter to him by Senator the Hon. Don Wehby, the Minister with Portfolio Responsibility for Air Jamaica in the Ministry of Finance and the Public Service.

In his letter to the Contractor General, which was dated April 8, 2008, Minister Wehby stated that *“In keeping with the need for transparency and accountability in the disposal of public assets, I am referring the matter to your offices such that any appropriate review and action may be taken.”*

The allegations which were contained in the brief which was sent by Minister Wehby to the Contractor General raised certain concerns which inferred impropriety, a lack of transparency in the divestment of State assets, a breach of the Government's Procurement Guidelines, mismanagement and a breach of applicable Government administrative and accounting procedures.



On 2008 April 23, in his closing speech of the Budget Debates, the Hon. Audley Shaw, the Minister of Finance and the Public Service, reiterated the concerns which had been raised by Minister Don Wehby regarding the sale of the Heathrow Slots.

Section 4 (1) of the Contractor General Act mandates the Contractor General to ensure that Government contracts are awarded “*impartially and on merit*” and in circumstances that “*do not involve impropriety or irregularity*”.

In keeping with the requirements of the Contractor General Act, copies of the OCG’s 196 page Report of Investigation into the matter have, this afternoon, been despatched by the Contractor General to nine (9) State Authorities.

Pursuant to Section 20 (1) of the Contractor General Act, copies of the Report have been conveyed to:

- (1) Senator the Hon. Don Wehby, the Minister without Portfolio in the Ministry of Finance and the Public Service;
- (2) The Hon. Audley Shaw, the Minister of Finance and the Public Service;
- (3) Ms. Sharon Crooks, the Financial Secretary;
- (4) Mr. Bruce Nobles, the President & CEO of Air Jamaica Limited.

Pursuant to Sections 21 and 28 (2) of the Contractor General Act, the Contractor General has also formally conveyed copies of the Report to the Honourable Speaker of the House of Representatives, the Honourable President of the Senate and the Clerk to the Houses.

Section 28 (3) of the Act requires the Speaker and the President to have the Report tabled in both Houses of Parliament ‘*as soon as possible*’.



The Contractor General, in compliance with the obligations that are imposed upon him by Section 21 of the Contractor General Act, has also despatched copies of the Investigation Report to the Director of Public Prosecutions and the Attorney General for such action as any or all of them may deem to be appropriate having regard to the evidence that the OCG has found in the matter. It is critically instructive to emphasize that Section 21 of the Contractor General Act provides as follows:

“If a Contractor General finds, during the course of his investigations or on the conclusion thereof that there is evidence of a breach of duty or misconduct or criminal offence on the part of an officer or member of a Public Body, he shall refer the matter to the person or persons competent to take such disciplinary or other proceeding as may be appropriate against that officer or member and in all such cases shall lay a special report before Parliament”.

Copies of the supporting sworn written statements that were provided by witnesses and respondents during the course of the OCG’s Investigation, and which were formally declared by them before a Justice of the Peace to be true, will also be forwarded by the OCG to the relevant authorities.

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