

***For Immediate Release  
Wednesday, February 6<sup>th</sup>, 2014  
Kingston, Jamaica***

**GOJ not dealing with public in good faith re Goat Islands port, says JET**

The Jamaica Environment Trust (JET) made Access to Information (ATI) requests in October 2013 to the Port Authority of Jamaica (PAJ) for the Memorandum of Agreement (MOA) with China Harbour Engineering Co. Ltd. (CHEC); as well as any technical proposals describing the work to be undertaken in the Portland Bight Protected Area. We made no request concerning the broader matter of the logistics hub. JET's request for these documents were denied, an internal review was requested, and the denial was upheld. JET therefore filed an appeal to the Access to Information Appeals Tribunal to challenge the PAJ's refusal to provide information. We were awaiting a hearing date.

On February 4<sup>th</sup>, 2014, JET received the attached letter and Exemption Certificate, the latter signed by the Minister of Finance. The Port Authority claims that these documents are exempt under the ATI Act for the reason that "premature disclosure would or could reasonably be expected to have a substantial effect on the Jamaican economy." The reason given continues: "The logistics hub initiative is a central plank in Jamaica's growth strategy. The GOJ's growth strategy influences the monetary policy."

JET rejects this argument in its entirety. Our ATI request concerned the MOA with CHEC for the purposes of building a port in the Portland Bight Protected Area, in the vicinity of the Goat Islands, not the entire logistics hub. We do not see and neither was it explained in the Certificate how release of the documents requested could have a "substantial effect" on the Jamaican economy, nor how it could affect monetary policy. There is an overwhelming public interest in the details of this project and if the Government of Jamaica is serious about its commitments to openness and transparency, aspects of these documents could and should be released. The Access to Information (ATI) Act also allows the Government to release such documents with sensitive information redacted, but the PAJ has not done this.

JET believes that to issue the Exemption Certificate while the matter is before the ATI Appeals Tribunal has denied the organization of its right for its appeal to be heard.

JET is considering other legal avenues at this point and calls again for an end to the secrecy surrounding the proposed port in Jamaica's most protected area of land and sea.

Contact:

**Diana McCaulay  
Chief Executive Officer, JET  
469-1315**

**Danielle Andrade  
Legal Director, JET  
392-7341**

**Ref. No. ATIPAJ/003/2013**

2014 January 27

Jamaica Environment Trust  
11 Waterloo Road  
Kingston 10

**Attention: Ms. Danielle Andrade, Legal Director**

Dear Sirs:

**Re: Access to Information Request - Proposed Transshipment Port at  
Portland Bight**

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Reference is made to your request for information in relation to the captioned.

An Exemption Certificate has been issued pursuant to Section 23 of the Access to Information Act. A copy of the Certificate is enclosed for your attention.

Yours truly,

**THE PORT AUTHORITY OF JAMAICA**



Carrol J. Pickersgill (Dr.)

**SENIOR VICE PRESIDENT**

**LEGAL, REGULATORY & CORPORATE AFFAIRS**

Encl.

Copy: Professor Gordon Shirley, President & CEO – PAJ  
Dr. Lloyd Barnett, Attorney-at-Law  
Mrs. Marlene Aldred – Attorney General's Chambers  
Mr. Damian Cox, Director – Access to Information Unit/OPM  
Mrs. Ceila Stephens, Access Officer - PAJ

# FORM 2

(Regulation 17(2))

## THE ACCESS TO INFORMATION ACT, 2002

### *Certificate of Exemption*

In accordance with Section 23 of the Access to Information Act, this is to certify that the

- official document(s)  
 part(s) of the official document

requested under Application for Access to Official Document Reference Number ATIPAJ/003/2013, dated October 1, 2013 and being the document(s) described hereunder:

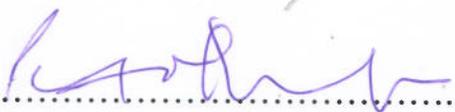
1. The Memorandum of Understanding and Addendum between the Port Authority of Jamaica and the China Harbour Engineering Company (CHEC).
2. Proposals and draft agreements submitted by CHEC.

are exempt pursuant to Section 18 (1), of the Act for the following reasons:

- Section 18 (1) – Premature disclosure would or could reasonably be expected to have a substantial effect on the Jamaican economy.

The logistics hub initiative is a central plank in Jamaica's growth strategy. The GOJ's growth strategy influences the monetary policy.

Dated this <sup>nd</sup> 22 day of January 2014

Signed:   
Peter D. Phillips, PhD, MP  
Minister of Finance and Planning