



Franklyn Missick's Building,
Church Folly,
Grand Turk,
Turks and Caicos Islands.

info@integritycommission.tc
secretary@integritycommission.tc

Telephone: 946-1941

Fax: 946-1355

27th September, 2018

PRESS RELEASE

Statement from the Integrity Commission

The Integrity Commission has today, September 27, 2018, issued the following statement in response to certain queries that were directed to it by TCI Weekly News, regarding a release that was reportedly issued by the Hon. Ralph Higgs, the Minister of Tourism, Environment, Heritage and Gaming, to the effect that he was “advised by the Integrity Commissioner that I should ‘withdraw and abstain from all discussions, debate and/or voting on the referenced Service Charge Bill in the House of Assembly’ due to possible conflict of interest as my family is currently constructing a small hotel in North Caicos”:

The Integrity Commission can confirm the following:

1. On September 13, 2018, the Hon. Ralph Higgs, the Minister of Tourism, Environment, Heritage and Gaming, sought, in writing, the “guidance” and “assistance” of the Commission, on the question of whether he should participate in what he said was the ‘Service Charge Bill that was set to be debated on 24 September, 2018, in the House of Assembly’. The Hon. Minister advised the Commission that his “family is currently constructing a small hotel in North Caicos, which will be obviously governed by this legislation once ascended to”, and that he holds a “declared interest in my family’s business”. The Hon. Minister stated thus: “I am seeking guidance from the Commission on whether or not I am able to participate in this debate. I shall be grateful for your assistance in this matter.”
2. On the morning of September 14, 2018, in direct response to the Hon Minister’s request for “assistance” and “guidance”, I wrote to him in the following *verbatim* terms.

“Good Morning Hon. Minister:

Please accept my gratitude for your communication and enquiry of the 13th instant.

Put succinctly, the circumstances that you have outlined are likely, among other things, to place you in a Conflict of Interest position and a potential breach of the Code of Conduct for Persons in Public Life in TCI, if the requisite steps are not taken by you to avoid same

In going forward, you should forthwith formally advise the Hon. Premier and the Hon. Speaker of the Hon. House of Assembly of (a) your interest in the hotel that you have asserted is currently under construction in North Caicos, and (b) your intention to withdraw and abstain from all discussions, debate and/or voting on the referenced Service Charge Bill in the House of Assembly.

You must then follow through by not participating in any way in any discussions, debate and/or voting on the referenced Service Charge Bill.

Please be advised accordingly.”

3. On the morning of September 25, 2018, following certain matters that were brought to the attention of the Commission, I wrote to the Hon. Dwayne S. Taylor, Speaker of the House of Assembly, with copy to the Hon. Premier and the Hon. Leader of the Opposition, in the following *verbatim* terms:

“Good morning Hon. Speaker:

The Integrity Commission wishes to request the urgent assistance of your good office in providing it with a complete transcript of the proceedings of the Hon. House of Assembly, of Monday, September 24, 2018, in the matter of the Debates on the Hotel and Restaurant (Service Charge) 2018.

The Commission also wishes to utilize this opportunity to advise you, Hon. Speaker, that concerns and allegations have been raised with the Commission that certain Hon. Members of the House, who might have a personal interest in matters that could be impacted by the Bill, have been participating in the referenced Debates.

The Commission wishes to use this opportunity, through your good office, to caution all Members of the Hon. House of Assembly, that they should read and be guided by the relevant provisions of the Code of Conduct for Persons in Public Life, the Seven (7) Principles in Public Life, and the Guide to Identifying, Avoiding, and Managing Conflicts of Interests, all of which are available for review of the Commission’s website.

By way of copy of this communication to the Hon. Premier, and the Hon. Opposition Leader, I will also bring the matter directly to their attention.

Please accept my gratitude, and the assurance of my highest consideration.”

4. On September 25, 2018, the Hon. Speaker responded to me, in writing, in positive terms, and pledged the assistance and cooperation of his Office in respect of my request.

5. The Integrity Commission wishes to make it clear that the provisions of the Integrity Commission Ordinance, and the Code of Conduct for Persons in Public Life, inclusive of the Guide to Identifying, Avoiding, and Managing Conflicts of Interests, have equal applicability to *ALL* Members of the Hon. House of Assembly. This is consistent with the Rule of Law.

A complaint, or allegation, that the provisions of one or the other may have been breached by a Member, will, therefore, as a matter of course, be impartially and dispassionately examined by the Commission. This is the mandate of the Integrity Commission, as prescribed by law.

The Commission also wishes to advise that it continues to stand ready and willing, as it has in the past, to provide, without prejudice, its assistance and guidance, in writing, to *any* Member of the Hon. House of Assembly who desires to have it, and who requests it, in respect of the provisions of the Integrity Commission Ordinance, and the Code of Conduct for Persons in Public Life, inclusive of the Guide to Identifying, Avoiding, and Managing Conflicts of Interests.

The Commission advises accordingly.

Mr. Greg Christie
Director
TCI Integrity Commission

Addresses: **The Turks and Caicos Islands Integrity Commission**
Franklyn Missick's Building | C206 Cabot House
Church Folly | Leeward Highway
Grand Turk | Providenciales
Phone: (649) 946-1941 | (649)941-7847
E-Mail: INFO@INTEGRITYCOMMISSION.TC

Commissioners: Sir David Simmons (Chairman); Mr. Martin Green; Rev. Pedro Williams; Canon Mark Kendall; Mr. Dax Bruton