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VOL. 31 - NO. 31

THURSDAY - FEBRUARY 14TH, 2019

75 CENTS

OVER \$1 MILLION IN FRAUD

Group Given Supreme Court Bail

BY JAMEELHA MISSICK
Journal Staff Writer

Four Bahamians were arraigned in the Magistrates Court yesterday accused of a litany of fraud related charges that amounts to over \$1 million.

Racking up the bulk of the counts was Former Deputy Director of Urban Renewal in Grand Bahama, Michelle Reckley.

The 50-year-old South Bahama resident was on Wednesday afternoon arraigned before Chief Magistrate, Joyann

Ferguson-Pratt on one count of conspiracy to commit fraud by false pretenses, six counts each of fraud by false pretenses and money laundering, one count of attempted money laundering, three counts of extortion, two counts of corrupt transaction with

agents and another two counts of conspiracy to commit fraud by money laundering.

It is alleged that between Monday, December 5, 2016 and Monday, April 24, 2017, being concerned with

■ See page 2...

Gov't Reached Agreement with Gaming Operators

The Government has reached an agreement with the Bahamas Gaming House Operators Association to increase taxes on the gaming industry and to collect the payment of back

taxes. This follows what has been described as open and productive discussions recently.

With the beginning of the regulation of the gaming industry on January 1, 2015, the rate

of taxation on net taxable revenue of the seven licensed gaming operators was set at 11 percent and was expected to yield approximately \$21 million.

The new tax structure

consists of a sliding scale gaming tax on net taxable revenue, or the amount received by gaming operators from patrons in bets less the

■ See page 3...

REVITALIZATION OF DOWNTOWN NASSAU UNDERWAY, SAYS PM



▶ Prime Minister Minnis discusses downtown Nassau redevelopment. (BIS Photo/Yontalay Bowe)

Prime Minister, the Most Hon. Dr. Hubert Minnis has confirmed that plans for the revitalization of historic downtown Nassau are underway

and will realize jobs and business opportunities for Bahamians.

He was contributing to the debate in the House of Assembly today on

the Resolution to Convey Property and Land from the Government of The Bahamas to the Central Bank of The Bahamas

for the building of a new bank.

"The redeveloped Prince George Wharf,

■ See page 8...

BLACKLISTED AGAIN

BY JAMEELHA MISSICK
Journal Staff Writer

The European Union's (EU) name and shame list includes The Bahamas – that makes it one of 23 jurisdictions that have been blacklist-

ed. The reason for this is the strategic deficiencies in anti-money laundering (AML) and counter-terrorist financing (CTF) frameworks.

Being blacklisted means EU banks dealing with any of the named



▶ Attorney General, Carl Bethel

countries then will have to carry out additional checks in order to identify dirty money flows.

Brussels will also invite those territories to improve their anti-money laundering frameworks, if they want to be removed from that list.

According to EU's Justice Commissioner, the commission stands

ready to work closely with these countries to address these issues.

The listing by the EU Commissioners is based on the Financial Action Task Forces's (FATF) listing of The Bahamas and its placement of The Bahamas into an action plan.

In a statement,

■ See page 3...

Opposition To Boycott Parliament

BY BERTHONY MCDERMOTT
Journal Staff Writer

The Progressive Liberal Party announced yesterday that the entire PLP parliamentary caucus will boycott the House of Assembly for a period.

The prosecution's threat comes on the heels of four Grand Bahamians

■ See page 4...

Another Homicide In Fox Hill

BY BERTHONY MCDERMOTT
Journal Staff Writer

The tight knit community of Fox Hill has experienced another murder after one of its residents was riddled with gunshots Tuesday evening.

According to police, the victim is no stranger to them. Police Press

■ See page 4...

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OVER \$1 MILLION

Continued from / PAGE 1...

another, Reckley committed fraud by false pretenses.

The court also heard how between Friday December 9, 2016 and December 16 that same year, she - being concerned with another with the intent to defraud, obtained from the government of The Bahamas, payments totaling \$241,528.00.

The money was allegedly mobilization payment for contracts issued to James Hall of Distinctive Builders under the government of The Bahamas' Small House Repair Programme in the aftermath of Hurricane Matthew by means of false pretenses.

There is the added allegation that Reckley, the wife of assistant commissioner of police, Clarence Reckley, obtained \$73,041.51, \$246,216.00, \$172,277.47, \$267,280.00, \$255,294.85 in the same fashion between the period December 2016 and April 2017; that between November 2016 and March 2017, she converted the sum of \$30,000, \$11,062.18, and \$200,000 - representing her pro-

ceeds of criminal conduct - with intent to conceal or disguise that property.

The accused allegedly transferred \$47,760.00 from her CIBC account representing the proceeds of criminal conduct to two of her co-accused namely 28-year-old Stephanie Collie and \$26,000.00 to 26-year-old Kylon Vincent, and another \$3,000 to James Wildgoose, in the form of cheques issued from the account.

All of this allegedly with intent to conceal or disguise that property. She is further accused of attempting to transfer from her CIBC account to a Teachers and Salaried Workers Credit Union account two cheques totaling \$172,646.18 representing the proceeds of criminal conduct.

Add to all this the accusation that Reckley - in respect of her duties as a public officer - obtained for herself under the cover of her office - the sum of \$30,000 from James Hall, \$11,062.18 from co-accused 58-year-old Christopher Symonette and another \$30,000 from James Hall, knowing that she was not lawfully author-

ized to obtain the same.

Reckley is also accused of corruptly accepting \$200,000 from James Hall as a reward for assisting him with the grant of a government contract under the small house repair programme in the aftermath of hurricane Matthew, in her role as an agent of the government of The Bahamas, and another \$30,000 from Hall for assisting with the grant of a government contract to repair the Bartlett Hill Primary School in Eight Mile Rock.

Meantime, her co-accused, Symonette and Vincent were charged with two counts money laundering: assisting to conceal the proceeds of criminal conduct, one count of money laundering and two counts of conspiracy to commit fraud by money laundering.

Collie was arraigned on similar charges - that is money laundering: assisting to conceal the proceeds of criminal conduct, two counts money laundering, and two counts conspiracy to commit fraud by money laundering.

The four accused all

pleaded not guilty to the charges.

As Chief Magistrate Ferguson Pratt lacked juris-

diction to grant bail, they were told they can apply to the Supreme Court for bail. The group got \$9,000

each with sureties.

They return to court on March 18 for a status hearing.



MINISTRY OF NATIONAL SECURITY

UNITED STATES COAST GUARD (USCG) ACADEMY 4 YEAR MILITARY DEGREE PROGRAM

The Bahamian Government in collaboration with the United States Embassy (Nassau) invites all qualified persons who are interested in applying for a four-year degree scholarship at the United States Coast Guard Academy in Connecticut, United States, to submit their applications to the Royal Bahamas Defence Force Headquarters, Coral Harbour Base by 31st January, 2019.

To qualify, applicants must:

- Be a Bahamian citizen
- Be between the ages of 17-22 years old
- Be unmarried and with no dependents
- Be willing to serve in the Royal Bahamas Defence Force for a minimum of five years on completion.
- Must be physically fit
- Must be able to swim
- Have SAT scores of 600 in both Math and English (or ACT minimum of 26 in Mathematics and 27 in English).
- Have a high school diploma
- Possess excellent English skills

Bachelor's Degree Programs are offered in:

- Civil Engineering
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- Marine and Environmental Sciences
- Government
- Mechanical Engineering
- Management

Deadline for submission of application is 31st January, 2019.

Deadline for registration for SAT examination is 8th February, 2019 for the 9th March, 2019 test date (results from March test are only accepted if results from previous test are received by 1st March, 2019).

Students may register at:

<https://collegereadiness.collegeboard.org/sat/register/international>

The USCGA code number for the SAT exam is 5807.

Deadline for ACT registration is 11th January, 2019 for 8th February, 2019 test date.

Students can register at <https://www.act.org/content/act/en/products-and-services/the-act-non-us.html>

The USCGA code number for the ACT exam is 0600.

Applicants can make application to sit the SAT/ACT at local SAT Centers in New Providence as follows: Aquinas College, St. Andrew's School, St. Anne's School, The University of The Bahamas, Government High School and Queen's College.

For further information, please contact the Royal Bahamas Defence Force Human Resource Officer, Lieutenant Commander Michael Hanna at telephone 362-3705 or 362-3711 or via email at michaelhanna@rbdf.gov.bs or visit the website www.rbdf.gov.bs

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Gov't Reached Agreement

Continued from / PAGE 1...

amount paid out to the patrons by gaming operators in winnings.

A statement from the Office of the Prime Minister said, "effective January 1, 2019 all licensed gaming operators will pay 15 percent on \$0 to \$24 million dollars of revenue and operators earning anything greater than \$24 million will pay 17.5 percent.

"Based on the increased tax rate, the government is expected to collect approximately \$35 million in taxes from gaming houses annually.

"Effective April 1, 2019 a new tax will be introduced on all winnings derived from lottery bets. Five percent will be paid on winnings

\$0 to \$1,000 and 7.5 percent on anything greater than \$1,000. This new tax is expected to raise \$15 million annually in tax revenue for the government.

"There will be no tax on winnings derived from casino games," the statement said.

The new gaming tax structure represents a 127 percent increase in taxes on gaming operators, securing just under \$50 million in total revenue, compared to \$21 million in 2017.

All back taxes will be collected before the end of this budget year at the previous 11 percent rate.

"The Government had two objectives going into the most recent round of negotiations: to ensure the industry pays its fair share of taxes,

and to end the deadlock between the government and the gaming industry.

"This is about what is best for the Bahamian people, and securing a deal will mean more funding to support much needed programs and better services for Bahamians," said the statement.

"Solving the tax dispute through the courts could have meant years of expensive litigation and prevented the government from collecting taxes," said Minister of Tourism and Aviation the Hon. Dionisio D'Aguilar. "Because of the discussions with gaming industry leaders, the government was able to secure an increase in taxes as well as the back taxes owed to the Public Treasury," he said.

BLACKLISTED AGAIN

Continued from / PAGE 1...

Attorney General, Carl Bethel, said "In the circumstances where The Bahamas has, since the implementation of the FATF Action Plan in October, 2018, been re-evaluated as being Compliant or Largely Compliant with 30 of the FATF's 40 Recommendations (up from Compliance in only 18, in 2017) it is the view of The Bahamas that the listing by the College of Commissioners of the European Union is not a proportionate response."

Mr. Bethel added that the principle of proportionality is a fundamental tenet of EU Law and the common law and it simply imports that the punishment should fit the offence.

"To list a country, such as The Bahamas, that has made outstanding progress, in just over one year, in addressing the AML/CFT deficiencies identified in May 2017, together with wholly non-compliant, war-torn or even rogue States is disproportionate, and inflicts harm and punishment on a People with no regard for their important reforms and improvements in their AML/CFT framework," he said.

"Such a 'one size fits all' approach is unworthy of established Democracies, and is an affront to their own legal principles," Mr. Bethel added.

"The Bahamas ought not to have been listed and regrets this action by the EU College of Commissioners," he said.

The Attorney General said the government will seek all ways to ameliorate and, if possible, encourage the EU

Commissioners to reverse their decision.

Opposition Deputy Leader, Chester Cooper, meantime reiterated his serious concern over the consistent movement of the goal post.

"Each time we do something, they raise the bar and ask us to do something else, I find this completely unacceptable," he said.

"But our Bahamas and our industry is working hand in hand to ensure that we do all we can to defend against these threats to our livelihood, these threats against our industry and our country."

Mr. Cooper called on Prime Minister, Dr. Hubert Minnis, to explain why there has been a failure in his negotiations.

"He must explain to the Bahamian people what went wrong and why his intervention failed.

"The financial services industry must lay out a platform so to speak, or a strategy and a business plan for the long term growth of financial services," he added.

"I and the PLP will work hand in hand with the industry to ensure that we can have a sustainable plan for financial services and to grow the business to find the opportunities, to find niche businesses, notwithstanding the threat from international communities," said Mr. Cooper.

This blacklist deals with anti-money laundering and counter-terrorist financing and not tax matters.

The EU's assessment in that regard has not yet been released.

However, Deputy Prime Minister and Minister of Finance, Peter Turnquest has expressed optimism that The

Bahamas will not be named on that list.

Meantime, others blacklisted are U.S. territories Puerto Rico, Guam, American Samoa and US Virgin Islands, as well as Saudi Arabia, Nigeria, Panama and Iran.

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Request for Expressions of Interest

Individual Consultant: Programme Co-ordinator

"SKILLS FOR CURRENT AND FUTURE JOBS IN THE BAHAMAS"

The Inter-American Development Bank and the Government of The Bahamas (GoBH) signed the Loan Contract No. 3787/OC-BH for the execution of the investment programme "Skills for Current and Future Jobs in The Bahamas" (BH-L1037). The general objective of the Programme is to increase the employability and quality of employment of beneficiaries, by improving access to quality jobs in The Bahamas, with particular emphasis on youth, in three strategic sectors: maritime, medical services and IT/telecommunications. The specific objectives are to: (a) increase relevant skills and employability in productive jobs for Programme beneficiaries; (b) improve the effectiveness of the Public Employment Services (PES); and (c) enhance the capacity of the labour market intelligence system.

The GoBH has designated the Ministry of Labour (MOL) as the Programme Executing Agency (PEA). The MOL will establish a Programme Executing Unit (PEU) within its organizational structure and under the Office of the Permanent Secretary (PS). Accordingly, the PEU now invites interested eligible individual consultants to submit Expressions of Interest (EOI) indicating qualifications and experience required to provide consulting services of **Programme Co-ordinator**. The contract duration for this consultancy is 12 months, renewable annually. This consultancy shall be based in New Providence.

Main Responsibilities of the Consultancy
The objective of the consultancy is to provide strategic, organizational, financial and technical direction to the PEU, and to serve as the main focal point of the programme within MOL and other public and private institutions (including but not limited to BTVI, NTA, and the Chamber of Commerce). In particular, the programme Coordinator will provide leadership, coordination and guidance in all matters pertaining to the successful administration and implementation of the "Skills for Current and Future Jobs in The Bahamas" programme (BH-L1037), through the efficient management of the PEU, in accordance to the stipulations contained in the Loan Contract and the Programme Operations Manual (POM).

Specific responsibilities and activities are itemised in the Terms of Reference (TOR) for this consultancy, which can be accessed via this link, <http://jobseekers@bahamas.gov.bs>

Required Qualifications

- Graduate degree in Economics, Business Administration (Finance), Public Administration or a related field.
- Minimum of 10 years of relevant work experience in project management of investment initiatives funded by international development institutions, preferably in The Bahamas.
- Previous knowledge and exposure in the Labour/training sector is desired as well as exposure to the IDB's fiduciary, procurement, financial administration and project management policies and procedures.

Expressions of interest should include a cover letter highlighting Consultant's interest in the position, relevant experiences and qualifications; along with a recent copy of Consultant's curriculum vitae (CV). Submissions of Expressions of Interest may be submitted by hand to the address below, or by email to gelizeferguson@bahamas.gov.bs no later than 5:00 p.m. Friday, 22 February, 2019.

**Permanent Secretary
Ministry of Labour
Re: EOI, Programme Co-ordinator, Skills for Current and Future Jobs in The Bahamas
Charlotte House
Shirley and Charlotte Streets
Nassau, The Bahamas**

Opposition To Boycott Parliament Another Homicide In Fox Hill

Continued from / PAGE 1...

all believed to be Progressive Liberal Party supporters being arrested and escorted before a magistrate in New Providence on charges of fraud and money laundering.

Opposition Leader Phillip Davis yesterday called it a criminalization of politics and the erosion of democracy.

"I want to remind the Prime Minister that it is not Hitler's Germany or Stalin's Soviet Union.

"We do not apprehend, imprison and deny the rights of political opposites. We are better than that.

"We are a God-fearing, loving people who hold sacred the rule of law," he said.

The PLP claimed that Tuesday's events were a clear indication of embarrassment by multiple members of the cabinet for their role in the Frank Smith trial.

Reiterating an argument made by Party Chairman Fred Mitchell in a release Tuesday evening, Mr. Davis reasoned that the four defendants were deliberately taken to court after hours so they could not apply for bail to the Supreme Court and instead had to spend the night behind bars.

"Additionally, the defendants were denied access to attorneys. Michelle Reckley was not allowed to be properly clothed nor bring her medication.

"The court dockets have no complainants list-

ed on the docket, so the defendants do not know who their accusers are.

"Additionally, no meals were provided for the defendants. Does the government not understand, after Frank Smith, how these abuses are viewed?"

"Or, in fact, is that their goal- to send a message throughout the land that political opponents will be treated in this manner?"

"Are they celebrating their abuse of power? What has the Frank Smith trial cost the taxpayers to date?" The opposition Leader asked.

When asked, Mr. Davis said he does not know how long the boycott will last, but that it must be done to convey the serious state the nation is in.

Continued from / PAGE 1...

Liaison Officer Shanta Knowles told the media that it was shortly after 8:00pm that officers responded to reports of a gunshot being fired in the area of the community park.

"The officers cleared the park and discovered that gunshots were not in the area of the park and as they were driving west of Bernard Road, they saw a group of people running west from a vacant lot.

"The officers made a check of that lot and discovered a man lying with injuries to his body. He was unresponsive at the time."

"We called in EMS who attempted to revive him, however he was pronounced dead on the scene," she said.

According to area residents, the victim is Richard "Fowler Boy" Fowler, believed to be between 40 and 45 years of age.

The homicide is the latest in a shooting spree here in the capital that's now claimed the lives of five men in less than a week.

Progressive Liberal Party Chairman and Former Fox Hill MP Fred Mitchell yesterday said he knows the young man and his family and called another tragedy.

He added that the amount of violence among young people is increasing in communities.

He said, "there's a young man just a few minutes ago who lives down the street in the Congo Town part of Fox Hill and I was just saying to him that for 20 or 25 years its been this slow burn violence that's been taking place, and it's too much violence going on in the lives of young people coming up in these communities."

Mr. Mitchell maintains that residents of the area have no need to be in fear.

"I don't think that people generally need to have a fear in the sense that people are generally being targeted because you are from Fox Hill.

"The problem is that because of the nature of this tit for tat stuff, it's targeted at particular individuals from time to

time and there's no comfort in that because you can miss the person you're trying to target and hit somebody who is entirely innocent," said Mitchell.

On Tuesday, police issued a flyer for Mario Brown, who is wanted for questioning in relation to several of the matter's this past weekend.

"We're asking anyone who has information as to where he can be to please give us a call.

"We're asking Mario Brown if you can hear me to turn yourself into police, because we will continue to look for you and we will not stop until we find you.

"I'm asking the public to give us as much information as possible to assist us with these investigations.

"We are making headway in the matters that occurred on Sunday and I do believe that in short time we will bring some useful information to you," she said.

According to Superintendent Knowles, at this point, all the recent murders appear to be random.



PUBLIC NOTICE

MINISTRY OF PUBLIC WORKS DEPARTMENT OF PHYSICAL PLANNING

The public is hereby notified that an application for Site Plan Approval SPA/8/2018 on behalf of A.A.H Development is presently being reviewed by The Department of Physical Planning for presentation to the Town Planning Committee.

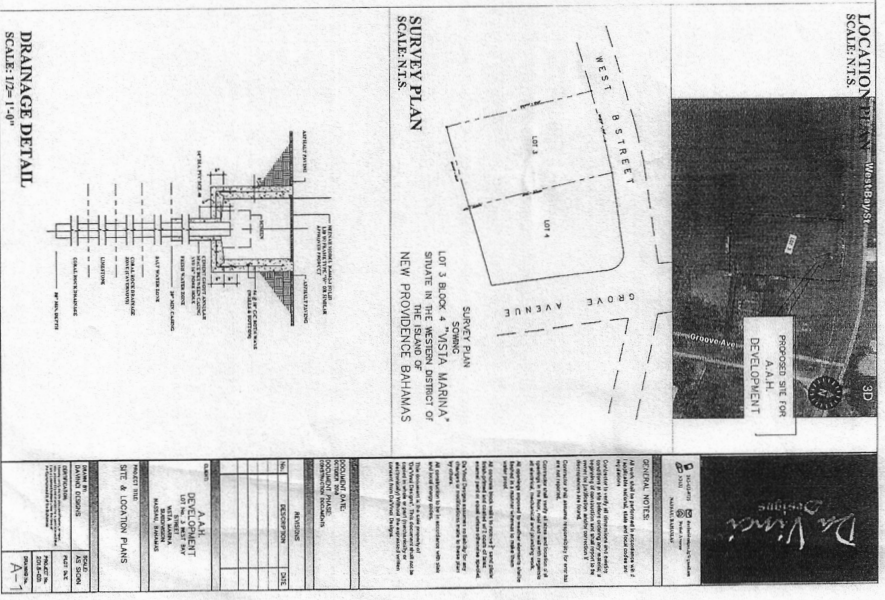
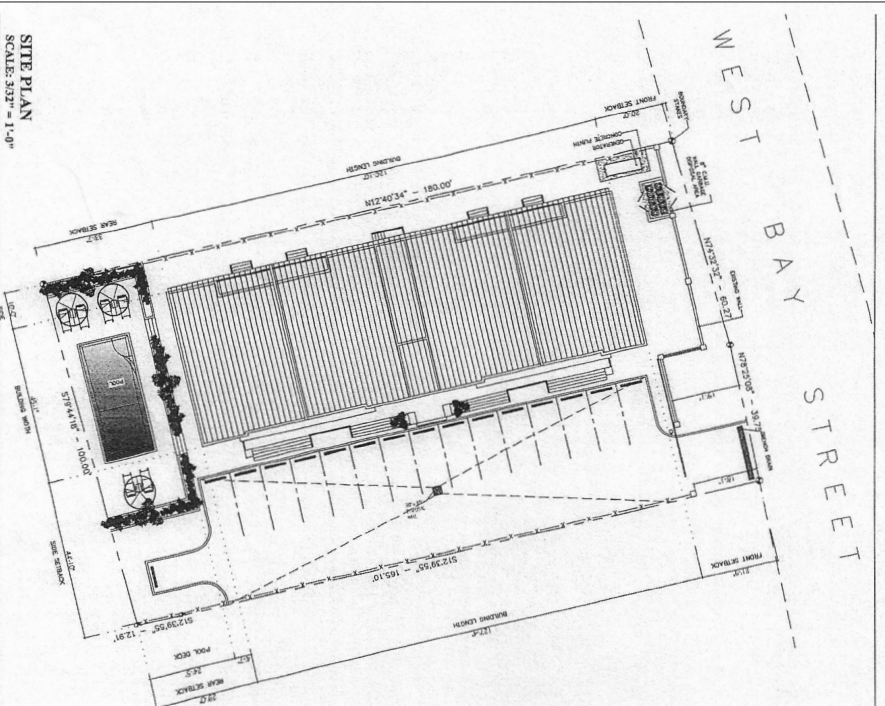
A public meeting will be held on March 4, 2019 at 7pm at The Department of Physical Planning's Hearing Room located on JFK Drive and Bethel Avenue.

The applicant is requesting a formal rezoning of lot #3, block #4 of the Vista Marina Subdivision. The property is located on West Bay Street, one lot west of Grove Avenue. The site is approximately 18,000sq.ft (100' x 180'). Six apartment units with accompanying leasing office and laundry facilities existed on the site until its recent demolition. Even though these units have existed for nearly 30 years, the applicant wishes a current and formal rezoning of the property in order to redevelop the site for the same use and density.

Preliminary plans for the proposed development are available for viewing at The Department of Physical Planning, located in the Aventura Plaza on John F. Kennedy Drive, during working hours of 9 a.m. - 5 p.m.

Interested persons and organizations are invited to review the information on file and provide written comments prior to the meeting. Comments should be directed to the Acting Director of Physical Planning within twenty-one (21) days of the date of this notice. Submissions can be made via P.O Box N-1611, Nassau Bahamas or fax (242) 328-3206. Further inquiries can be made to the Acting Director via Tel. (242) 322-7550/1/1 OR (242) 328- 3202 or CHARLESZONICLE@BAHAMAS.GOV.BS

Signed
Charles B. Zonicle
Acting Director of Physical Planning



E. CLEMENT BETHEL NATIONAL ARTS FESTIVAL TUESDAY, FEBRUARY 12, 2019 IN MAYAGUANA



► JMarcus Sands Community Group Story Telling
(BIS Photos/Patrick Hanna)



► Abraham's Bay High School's Ivaneice Charlton in Liturgical Dance selection
(BIS Photos/Patrick Hanna)



► Abraham's Bay High School Band
(BIS Photos/Patrick Hanna)

WARNING SHOT



By Jerry Hutchinson

Public Disclosure: The Million-Dollar Elephant in the Room By Jerry Hutchinson

PUBLIC DISCLOSURE: An Act to make provision for the public disclosure of the assets, income and liabilities of persons in public life and for matters incidental thereto or connected therewith. [Assent 7th October 1976] [Commencement 3rd January 1977].

The law regarding Public Disclosure is clear; Public Disclosure is required: "In the case of a person appointed a Senator or elected a Member of Parliament, as the case may be, at any time after the 31st day of December 1977, within three months from the date of such appointment or election, as the case may be, in respect of his assets, income and liabilities as at the previous 31st day of December". Section 4 (2) (A) Public Disclosure Act, 1977. and (B) and thereafter on the 31st day of December, in each year that he is a Senator or Member of Parliament, in respect of his assets, income and liabilities as at the 31st day of December in each year, so, however, that a declaration required to be furnished on the 31st day of December in any year shall be deemed to comply with the requirement of this subsection if it is furnished before the 1st day of March next following that date.

Whatever its current status, the original intention of the Act was a serious one. The Public Disclosure Commissions duties were intended to be in the public interest. Indeed, the Act states that; "The Commission shall consist of three members appointed by the Governor-General, upon the recommendation of the Prime Minister after consultation with the Leader of the Opposition". Yet, there has not been a public disclosure declaration published in the Gazette as required by law in sometime. If public officials had assumed office and not been aware of these disclosure requirements then, they should have been apprised of them. However, as the Public Disclosure Act (PDA) has careened around the country like a hand grenade this is highly unlikely. What is more likely is that public officials have decided that the PDA is a joke and they have no intention to comply with it. On 3 November, 2017 the Tribune reported:

"CITIZENS for a Better Bahamas (CBB) yesterday slammed the government for failing to meet its campaign promises on enforcement of the Public Disclosure Act.

In a press statement the advocacy group called on citizens to reject "implausible" and "unreasonable" excuses and demand the full enforcement of the critical anti-corruption law.

Lemarque Campbell, Citizens for a Better Bahamas' chairman and Transparency International's country representative, said: "Civil society can't remain silent on this issue. You have countries such as the UK where the assets, incomes, liabilities and campaign contributions for government officials are automatically posted and updated online for the public to view. Yet we can't even get the foundation right - by having the Public Disclosure Commission meet in a timely manner".

It is fair then to conclude that no public official has any immediate plans to disclose to the Bahamian citizens their assets and liabilities. What should be troubling to Bahamians is that this clear breach of the law has existed for many years and no amount of public criticism has had any effect on these non-compliers. Indeed, the Houses of Parliament has been the scene of many heated clashes in which members were accused of non-compliance. An example was reported in Bahamas News on Wednesday 19th, October 2011.

"A tit-for-tat over the disclosure of their finances caused a heated exchange in Parliament between members of the governing party and Bran McCartney, the self-imposed leader of the DNA. McCartney started the row by accusing Prime Minister Hubert Ingraham of violating the law by not complying with public disclosure laws. The Public Disclosure Act requires that members of parliament publicly disclose theirs, and their immediate families, assets, interests and income. Violation of the law is supposed to be an offence punishable by a \$10,000 fine, up to two years in jail or both, and additionally the member can have his property forfeited to the Crown. The law has been rarely, if ever enforced".

When asked by a reporter last year if he had complied with the Act, Mr Ingraham said he had not and that he was "too busy" to do so. Since then, Ingraham has allegedly made the appropriate disclosures. He told a newspaper earlier this year that he has since complied and has submitted the required information to the public disclosure committee. Mr McCartney did not withdraw his statements and the MPs for the government dropped the matter. But not before Mr Ingraham warned all MPs to get up-to-date with the Public Disclosure Commission. "All members are now on notice that they ought to do their disclosure for 2009 and 2010," the Prime Minister said".

Some of the reasons given by MPs for their non-compliance are so implausible and far-

etched that only an idiot would believe them. Indeed, comedy writers would find a rich treasure trove of comic material if they read the excuses given. Their excuses range from fear of extortion, kidnapping, robbery and burglary, all real risks experienced daily by the local population. In fact, they use every excuse except perhaps, that the dog ate their disclosure forms! No matter how strange and esoteric their excuses the reality is more mundane.

They don't wish their employers, the people, to know how they are progressing monetarily. Maybe they fear that the interest in their affairs springs from the public's interest in the more salacious details of their declarations and has nothing to do with their obligations under the PDA; and some will avoid complying with the PDA at all costs. In the absence of persuasive evidence to the contrary, I must reluctantly make a causal link between this lack of transparency and disclosure in our public life especially public accounting, and the recent findings by Transparency International's Corruption Perception Index which indicates that the Bahamas is at its lowest rankings ever. These numbers came from an opinion survey of Bahamians who were asked a wide range of questions on corrupt interactions with public officials. The responders for better or worse, have drawn their own conclusions in the absence of information to the contrary. It is safe to assume that important international agencies are probably doing the same. But, be advised, there are consequences for non-disclosure. Under 13(1) of the PDA which recites:

"Any person who (a) fails without reasonable cause, to furnish to the Commission a declaration which he is required to furnish in accordance with the provisions of this Act; (b) knowingly makes any false statement in such declaration; (c) fails without reasonable cause to give such information or explanation as the Commission may require under section 6 or 7; (d) after a summary of a declaration has been published, shall be guilty of an offence and shall on conviction on information, be liable to a fine not exceeding ten thousand dollars or to imprisonment for a term not exceeding two years, or to both such fine and imprisonment, and where the offence involves the deliberate non-disclosure of the property of a Senator or Member of Parliament, the court shall, in addition to the imposition of a fine or term of imprisonment or both (i) if the property involved is situate within The Bahamas (ii) declare that it be forfeited to the Government; (iii) if the property involved is situate outside The Bahamas, order that an amount equivalent to the value of such property (the value to be assessed as directed by the court), be paid by the Senator or Member of Parliament to the Government".

As I have previously stated, no public official has ever been found liable under this section. Either it does not apply or, no one gives a damn whether it applies or not; only time will tell. However, if public officials choose to submit a "dodgy" declaration or, a complaint is made about the contents of the declaration we have an App for that. Section 8(1) provides:

"Where (a) any person fails to furnish the Commission with a declaration which he is required to furnish in accordance with this Act; or (b) the Commission examines a declaration and any related information or documents, or conducts an enquiry into any such declaration or into a complaint made in respect of any summary of a declaration and is not satisfied with any aspect thereof, the Commission shall report the matter (setting out such details and particulars as the Commission in its discretion thinks fit) to the Prime Minister and the Leader of the Opposition".

What is abundantly clear is that the provisions of the Public Disclosure Act 1977 are being wilfully ignored by many persons in public life with no consequences. If the Act is not intended to be complied with then, just repeal it. However, if it remains in force then compliance must be demanded. It seems to me that there is a spirit of non-compliance and opaqueness loose in the land which must be arrested. If are public officials refuse to obey the rules then, why expect it from our citizens. Sadly, disregard for the rules have been weaponized by politicians who flaunt the rules of practice and tradition themselves but punish others, (usually opponents) who do the same thing innocently.

So, if you are in public life, to declare or not to declare, that's a \$million question!

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E D I T O R I A L

COMMON DECENCY

No matter your political persuasion, your religion, your position or your level of power in the society, common decency suggests a certain behaviour that is acceptable to the majority of Bahamians for the common good.

Over the last two days, many Bahamians across the Bahamas have taken a dim view on the behaviour of some officers of The Royal Bahamas Police Force concerning the manner in which four individuals were brought before the Magistrates Court on a number of fraud and money laundering charges.

Unfortunately, there have been many officers who have not operated lawfully, that have broken the law and who have been "bad apples" that infected others and have given the force a bad name. The good news is, they are in the minority in the establishment.

We make no judgement on the propriety or impropriety of the charges brought against the individuals. We don't know the facts, but we believe that accused persons are innocent until proven guilty. The facts of the case will eventually be given and there will be a verdict on the basis of the evidence produced. Justice must not only be done, but must manifestly be seen to be done.

That aside, what we are disturbed about is the manner in which the accused persons were arrested, handled and arraigned before the Magistrates Court.

We are reliably informed that one of the accused was arrested at 7AM, taken to a Freeport Police Station in Grand Bahama and was not allowed to see an Attorney, who was told by officers to take a seat and wait for his client. While waiting, the accused person was sneaked out of a back door of the Station and spirited to New Providence to appear before a Magistrate.

As if this was not enough, when the Police attempted to have the accused persons formally charged before the Magistrate, the prosecution did not have the necessary documentation in place. Moreover, the accused were denied food while in custody and were not fed until after the presiding Magistrate gave an order for this to happen.

We support the men and women of the Police Force generally, but they risk losing the support of the general public because of the misbehaviour of the officers of the Corruption Unit. In this particular instance, the action of the Police was inappropriate. A government must ensure that the citizenry is properly treated by the Police and by the systems of the State. Common decency is not found in the action of the Police in this matter.

Obviously, the Police did not learn anything from the Frank Smith bribery case just ended in the Magistrates Court. In that particular case, the Magistrate acquitted Smith when she discovered how the case was mishandled. The government is appealing that decision.

There are too many Bahamians who believe that the unrelenting actions of the Police in arresting and shaming supporters of the Progressive Liberal Party is having a negative impact generally on the psyche of the Bahamian people. This is due mainly to the manner in which these arrests are being carried out and the many mistakes made in the marshalling of the evidence.

A letter writer from Freeport said: "How is it possible for the Police to get away with this foolishness? It is beyond me. A person is flown to Nassau to face charges, only to arrive there and the case file or paperwork is not present or complete...what manner of garbage is this? The Frank Smith case was a national and international embarrassment; a despicable act; abuse of the highest order. Yet no response from the Police Commissioner, the Attorney General or the Prime Minister. All of this just blows over in one week. I see this for what it is; an abuse of the Police and the judicial system to exact punishment and revenge on political opponents.

What's also concerning is that this government will spare no cost in their witch hunt, but at the very same time, the cupboard is empty, they say...we are broke they say; no money for teachers, no money for doctors, no money for improved healthcare, cuts in social service benefits, but they sure can find it to pay foreign prosecutors. This is an absolute travesty," said the Freeport resident.

This view is widely held. What Bahamians want is a Criminal Justice system that works. They want Policing that is fair. They want to see a high level of common decency and justice.

The new case of the four people now on trial is to be carefully watched. From the very beginning, what we saw what was an affront to proper Police procedure; an assault on the justice system; the behaviour of investigators or Policemen that brought a mark of shame on the Police Force and a general feeling that some of the officers do not understand what common decency is about.

There is a perception that many do not understand what is right from wrong in these matters.

At the end of the day, it appears that common decency is not so common.

GOT NEWS?
Please call The Bahama
Journal's News TIP
LINE at 356-7254
and let us know!

PM: A new Central Bank will add to redevelopment of Nassau

A new Central Bank of the Bahamas building is part of the revitalization of downtown Nassau, Prime Minister the Most Hon. Dr. Hubert Minnis told the House of Assembly. He was contributing to the debate on the Resolution to Convey Property and Land from the Government of The Bahamas to the Central Bank of The Bahamas for the building of a new bank.

"The redeveloped Prince George Wharf, the new Supreme Court Complex, and supporting offices, and the beautiful new Central Bank will boost the revitalization, renewal and restoration of downtown," the Prime Minister said during the morning House session on February 13, 2019.

The land in question is the site which the historic Royal Victoria Hotel and Gardens once occupied.

"We are conveying the land and the property for the purpose of constructing a new complex for the Central Bank of The Bahamas, which long ago outgrew its premises. For many years the Central Bank pressed for the development of a new site, as the bank grew to meet the challenges and the responsibilities of a new era and a new century," the Prime Minister said.

He added, "The new Central Bank will help in the development and the beautification of an area long in need of revitalization."

The Central Bank's Administration Department Manager Ian Fernander described the proposed facility as an "iconic structure" and a "one-of-a-kind building," the Prime Minister told Parliament.

"Mr. Fernander also noted that the new building may serve as a catalyst for the development of the surrounding area. The new Central Bank will help to beautify downtown Nassau," the Prime Minister said.

The new facility will also include: a museum, an art gallery and a movie theatre.

In recent years, the Government of The Bahamas developed office sites for the Ministry of Education, the Public Treasury, the National Emergency Management Agency, the Office of the Prime Minister, the Office of the Attorney General and other agencies.

"To house other government agencies and to reduce the costs of rentals and leases, the Government will need to invest over many years in

new buildings and purchases," the Prime Minister said.

He noted that the Ministry of Finance set up a Special Purpose Vehicle to purchase the former UBS Corporate Centre on East Bay Street, which is now known as Poinciana House. The complex houses the Securities Commission, the Insurance and the Compliance Commission.

To house other agencies, he said that the government will construct a major new office complex on the site of the old City Market on Market Street.

"This new complex is part of our ambitious and long-term urban revitalization program. It will complement the refurbished Southern Recreation Grounds. I am pleased that the refurbishment of this historic site has begun," the Prime Minister said.

He also reported that his government is on track to redevelop the New Providence Landfill, "a longstanding and vexing problem which we are addressing."

And, as a matter of "utmost urgency" he said his administration took

the decision to relocate the Main Post Office to Town Centre Mall in order to provide the residents of New Providence with a central and secure site to collect mail and parcels.

"We were also determined to ensure the health, safety and security of the employees of the Main Post Office," the Prime Minister said. "Our decision was more cost-effective and made eminently more practical sense than the proposals of the former administration, which would have taken a long time to complete, and which were bogged down in all manner of problems," he said.

According to the Prime Minister, the old post office site will be imploded and a new Supreme Court complex with green technology, with the facilities necessary for a modern criminal justice system will be built on there.

"In time, we must consider a new parliamentary complex," the Prime Minister said, further explaining that the current Senate and House of Assembly buildings should become museums chronicling the country's development as a parliamentary democracy.



PUBLIC NOTICE

MINISTRY OF PUBLIC WORKS DEPARTMENT OF PHYSICAL PLANNING

The public is hereby notified that an application for Site Plan Approval SPA/1/2019 on behalf of Mylor Caribbean Development Ltd. and "The View Love Beach" is presently being reviewed by The Department of Physical Planning for presentation to the Town Planning Committee.

A public meeting will be held on March 13, 2019 at 7pm at The Department of Physical Planning's Hearing Room located on JFK Drive and Bethel Avenue.

The applicants propose a resort development on 7.44 acres of property (Lots 11, 11a, 12, 12a, 13, 13a, 14, and 14a) in the Love Beach Subdivision. These properties are for multi-family development.

The proposal is a mix of condominium buildings, time share units, a hotel and restaurant. The buildings on the site comprise the following:

- 4 4-storey buildings along the roadside each containing 16 residential units;
- A 4-storey hotel building consisting of 40 guestrooms;
- A 4-storey restaurant facility with bar/lounge;
- Two 4-storey time share buildings;
- 10 over-water bungalows;
- 3 single-storey service buildings

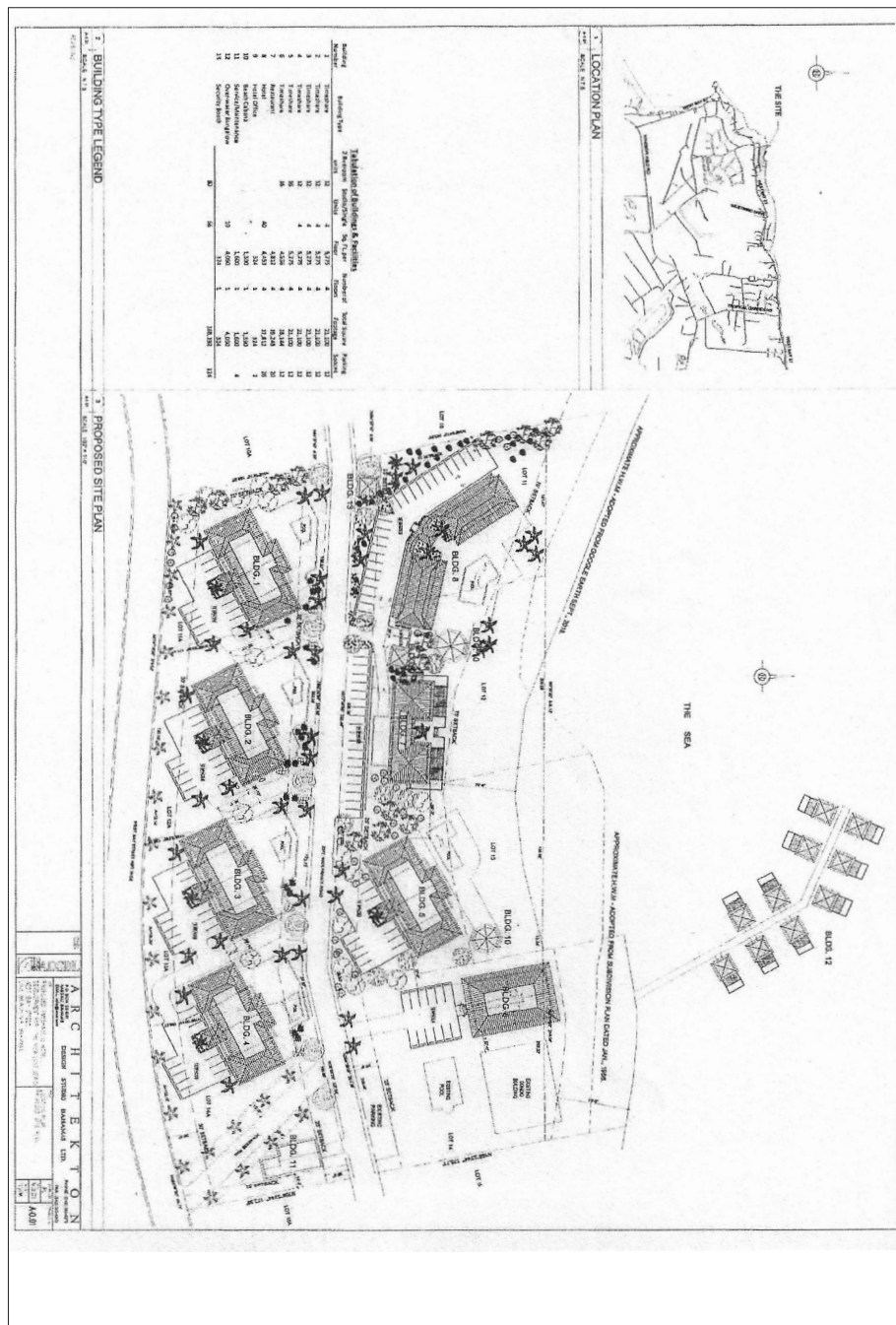
Preliminary plans for the proposed development are available for viewing at The Department of Physical Planning, located in the Aventura Plaza on John F. Kennedy Drive, during working hours of 9 a.m. - 5 p.m.

Interested persons and organizations are invited to review the information on file and provide written comments prior to the meeting. Comments should be directed to the Acting Director of Physical Planning within twenty-one (21) days of the date of this notice. Submissions can be made via P.O. Box N-1611, Nassau Bahamas or fax (242) 328-3206. Further inquiries can be made to the Acting Director via Tel. (242) 322-7550/1/1 OR (242) 328-3202 or CHARLESZONICLE@BAHAMAS.GOV.BS

Signed
Charles B. Zonicle
Acting Director of Physical Planning



► Prime Minister Hubert Minnis (centre) shows rendering of refurbished Southern Recreation Grounds in the House of Assembly, February 13, 2019. (BIS Photo/Yontalay Bowe)



NOTICE

The Utilities Regulation and Competition Authority (URCA) was established on 1 August 2009, as a corporate body, under the Utilities Regulation and Competition Authority Act, 2009.

As the independent regulator, URCA's regulatory remit of the Electronic Communications Sector (ECS) covers radio and television broadcasting, radio spectrum, internet and data, pay-TV and voice telephony; and oversight of Electricity (ES) Sector which includes entities or persons who generate, transmit, distribute or supply electricity throughout The Bahamas.

URCA wishes to advise that a Request for Proposals (RFP) for the provision of Internal Audit Services has been uploaded to our website at www.urcabahamas.bs.

Interested parties should submit responses to the RFP by 4:00 pm on 28 February 2019.