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To: All Media

FOR IMMEDIATE RELEASE

Information Commissioner Issues First Two Decisions of 2022

Hamilton, Bermuda. Information Commissioner Gitanjali Gutierrez has issued [Decision 01/2022, Ministry of Health Headquarters \(Ministry Headquarters\)](#) and [Decision 02/2022, Bermuda Business Development Agency \(BDA\)](#).

[Decision 02/2022](#) considers BDA's response to a Public Access to Information (PATI) request for records on Game Theory, a company that had planned to open a business in Bermuda. Though BDA made an extensive disclosure of records to the Applicant, certain records were withheld. The Information Commissioner's Decision considered whether BDA and the third parties' reliance on the personal information and breach of confidence exemptions under the PATI Act justified denying public access to those records. In her Decision, the Commissioner found that BDA was justified in denying public access to certain records but has ordered BDA to disclose information about certain individuals that is not exempt under the PATI Act or whose disclosure is required by the public interest.

In her Decision, the Commissioner commended the BDA for the thorough and extensive efforts it made when handling this PATI request. She expressed appreciation to all the parties for the exceptional quality of their submissions, including BDA's internal review decision. The Commissioner noted that the submissions' analysis and organisation, as well as their careful attention to the provisions of the PATI Act and the PATI Regulations 2014 (PATI Regulations), were of assistance during this review.

In [Decision 01/2022](#), the Information Commissioner considers the Ministry Headquarters' failure to respond to a PATI request for records on payments made to resQwest and resPartner Ltd. The Commissioner found that the Ministry Headquarters failed to conduct an internal review and issue a decision within the 6-week timeframe prescribed in the PATI Act. During the Information Commissioner's review, the Ministry Headquarters provided the Applicant with an internal review decision and, as such, was not required to take further action.

[Decisions 01/2022](#) and [02/2022](#) are available on www.ico.bm.

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Editor's Notes:

The ICO is an independent public office responsible for promoting the use of and overseeing compliance with the Public Access to Information (PATI) Act 2010. The PATI Act gives the public a right to access records held by public authorities, subject to listed exemptions and administrative grounds for denial of access. Individuals who are dissatisfied with the response of a public authority may seek a review by the Information Commissioner. The Information Commissioner shall investigate and the decisions by the Information Commissioner are legally binding.

Further information about the ICO is available at www.ico.bm.