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To: All Media

FOR IMMEDIATE RELEASE

Information Commissioner Issues Decision 01/2024

Hamilton, Bermuda. On 23 February 2024, Information Commissioner Gitanjali Gutierrez issued [Decision 01/2024](#), Bermuda Monetary Authority.

In this [Decision](#), the Applicant had made a PATI request for records relating to digital asset companies licensed under the Digital Asset Business Act, or the DABA. Specifically, the Applicant sought records on companies that had active licenses, were no longer licensed, had had their license revoked or had had their license removed from the BMA website.

In response, the BMA explained that it publishes a list of all currently licensed companies on its website. In addition, it stated that it is required to publish in the Official Gazette any licenses that are revoked. For the remaining records, the BMA denied access to them because disclosure was prohibited by other legislation, specifically the secrecy provision in the BMA Act. Although the Information Commissioner queried whether the BMA held archived versions of its webpages that might have shown a company that was formerly listed as a license holder on the BMA website, the BMA confirmed that it did not hold such records for the relevant time period.

In this [Decision](#), the Information Commissioner affirmed that the BMA was justified in withholding access to those records and did not require the BMA to take any further action regarding the request.

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Editor's Notes:

About the ICO

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 Bermuda's 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 ico.bm.