

Decision Notice

Decision 17/2024: Ministry of National Security Headquarters

Records on payments to protesters

Reference no: 20220615

Decision date: 1 May 2024

Summary

The Applicant made a request under the Public Access to Information (**PATI**) Act 2010 to the Ministry of National Security Headquarters (**Ministry Headquarters**) for records on payments made to the 2 December 2016 protestors. The Ministry Headquarters released extensive responsive records, but withheld others under various exemptions in the PATI Act. In addition to challenging the Ministry Headquarters' refusal to deny access to some responsive records, the Applicant challenged the reasonableness of the search conducted by the Ministry Headquarters to locate the responsive records.

During the Information Commissioner's review, the Ministry Headquarters changed some of the grounds for refusal to disclose some of the records. While still relying on the exemptions in section 27(1)(a) (records submitted for Cabinet's consideration) and (c) (draft of Cabinet document), the Ministry Headquarters invoked additional exemptions in sections 23 (personal information) and 29 (deliberations of public authorities).

The Information Commissioner has found that the Ministry Headquarters did not meet the reasonable search requirements in section 12 of the PATI Act and regulation 5 of the PATI Regulations 2014, but this was remedied during this review. The Information Commissioner has also affirmed, either in part or in full, the Ministry Headquarters' reliance on sections 23(1), 27(1)(a) and 27(1)(c) to deny access to certain records or parts of records. She has reversed the Ministry Headquarters' reliance on section 29(1) and, in part, section 23(1). She has also varied the internal review decision to deny access to certain responsive records under section 23(1) and because the PATI Act did not apply to other responsive records by virtue of section 4(1)(b)(vi). The Information Commissioner has ordered the Ministry Headquarters to disclose certain records or parts of records in accordance with this Decision and the accompanying Confidential Annex and Order on or before **Wednesday, 12 June 2024**.

Relevant statutory provisions

Public Access to Information Act 2010: section 4(1)(b)(vi) (application); section 12(2)(b) (access to records); section 23(1) (personal information); section 24 (definition of personal information); section 27(1)(a) (records submitted for Cabinet's consideration); section 27(1)(c) (draft of Cabinet document), section 29 (deliberations of public authorities).

Public Access to Information Regulations 2014: regulation 5 (reasonable search).

Appendix I provides the text of these statutory provisions and forms part of this Decision.

Background

1. On 20 October 2021, the Applicant made a request under the Public Access to Information (**PATI**) Act 2010 to the Ministry of National Security Headquarters (**Ministry Headquarters**), asking for:
 - a. The statement of the Minister of National Security (**Minister**) which was due to be delivered in the House of Assembly on 15 February 2019 on payments to the 2 December 2016 protestors (**item 1**)
 - b. Any communications concerning payments to the same protestors (**item 2**)
 - c. A list of the individual payouts (amounts and recipients) to those protestors (**item 3**)
 - d. Records showing where the payouts came from (which department, budget or line item) (**item 4**), and
 - e. Any record held by the Ministry Headquarters outlining the purpose of the Royal Bermuda Regiment Contingency Fund, the funds it holds and its spending (**item 5**).
2. After extending the timeline to issue an initial decision from 1 December 2021 to 12 January 2022, on 23 November 2021 the Ministry Headquarters provided the Applicant with some information responsive to items 3-5 of the PATI request and disclosed a number of records responsive to items 4 and 5. It denied access to the names of individuals who received the payments, which were responsive to item 3 of the request, under the exemptions in sections 23 (personal information) and 35 (legal professional privilege). The Ministry Headquarters also informed the Applicant that it was still searching for the records responsive to items 1 and 2 of the request.
3. On 20 December 2021, the Ministry Headquarters updated the Applicant with the progress of its search. It informed the Applicant that, after contacting the Information and Digital Technologies Department (**IDT**) for search of the relevant emails using relevant keywords, the exercise resulted in the identification of 125,499 emails “which contained the keywords”. The Ministry Headquarters invited the Applicant to discuss about their information need and informed them that the PATI request could potentially be denied under the administrative ground in section 16(1)(c) (substantial and unreasonable interference or disruption). In response, on 4 January 2022 the Applicant spoke with the Ministry Headquarters and made suggestions on using combined keywords and search operators. The Ministry Headquarters informed the Applicant that it would conduct a set of new searches.

4. Because they did not receive an initial decision on 12 January 2022, the Applicant asked for an internal review on 13 January 2022. The Ministry Headquarters informed the Applicant that the processing of the records and the initial decision almost completed.
5. On 22 February 2022, the Ministry Headquarters issued an initial decision out of time. It disclosed extensive number of records, with redactions. The disclosed records included a draft Ministerial Statement dated 14 February 2019, which the Ministry Headquarters claimed to be the only record responsive to item 1 that it could find. The Ministry Headquarters' initial decision also denied access to certain records or parts of records under sections 23, 26 (information received in confidence), 29 (deliberations of public authority) and 35.
6. On 1 March 2022, the Applicant asked for an internal review of the initial decision, challenging the Ministry Headquarters' reliance on the exemptions and redactions on the records. The Applicant was also concerned that the disclosed Ministerial Statement was incomplete. The Applicant did not challenge the Ministry Headquarters' responses to items 4 and 5 and withdrew the internal review request it previously made on 13 January 2022.
7. On 7 June 2022 and in response to [Decision 14/2022](#), the Ministry Headquarters issued an internal review decision on items 1-3. Among other points, the internal review decision informed the Applicant that:
 - a. due to the volume of the records, reviewing them "would unreasonably interfere with and disrupt" the Ministry Headquarters' other work,
 - b. no further record responsive to item 1 was located,
 - c. certain records were withheld under the exemptions in sections 26, 27 (Cabinet documents) and 35, and
 - d. there were 5,129 encrypted emails of a former Permanent Secretary that could not be opened even with the assistance of the IDT.
8. On 15 June 2022, the Applicant asked for an independent review by the Information Commissioner, to challenge the Ministry Headquarters' reliance on various exemptions in the PATI Act and the reasonableness of its search.

Investigation

9. The Information Commissioner's Office (ICO) accepted the application as valid on 6 July 2022, on the basis that the Applicant had made a PATI request to a public authority and

had asked that public authority for an internal review. The ICO also confirmed the issues the Applicant wanted the Commissioner to review.

10. The Information Commissioner decided that early resolution under section 46 of the PATI Act was not appropriate for this application, because submissions from the Ministry Headquarters were required on the exemptions and administrative denial.
11. The ICO notified the Ministry Headquarters of the valid application on 9 August 2022. The ICO also asked for the responsive records.
12. During the review, the ICO engaged with the parties to clarify and confirm the scope of the review. The ICO informed the Applicant that a considerable amount of the records disclosed at the initial decision stage actually fell outside the reach of the PATI Act, either because they related to the exercise of judicial or quasi-judicial functions, or because they were created or obtained by the Attorney General's Chambers (**AG's Chambers**). Parts of these records were redacted under the personal information exemption, but the Applicant agreed not to challenge the redactions specifically in these records.
13. After further steps were taken, the Ministry Headquarters disclosed additional records to the Applicant and abandoned its reliance on the administrative ground in section 16(1)(c). It also invoked additional exemptions in sections 23 and 29 which, though relied on in the initial decision, was not invoked in the internal review decision.
14. While the Ministry Headquarters' internal review decision claimed that there were over 5,000 encrypted emails, during this review the ICO clarified that only 18 encrypted emails were responsive to the PATI request.¹ Because it was clear from their details that 12 of them were either sent or received by the AG's Chambers and would fall outside the PATI Act by virtue of section 4(1)(b)(vi), as explained below, the Information Commissioner did not pursue obtaining unencrypted copies of these 12 emails.² After additional steps during the review, the Information Commissioner was provided with a decrypted copy of two³ of the remaining six encrypted emails.
15. The records or parts of records considered in this review are records 1, 2, 7, 10, 17-19, 30-34, 36a, 38a, 39, 40a, 40b, 41a, 52, 62, 63, 67, 79, 80, 88a, 90, 95, 95a, 96, 102, 104, 106, 108, 114, 124, 127, 129, 130, 132-134, 140, 142, 142a, 142b, 147, 149, 151, 156-

¹ Records 116-119, 129, 130, 132-134, 158-161, 163-165, 166 and 169.

² These are records 129, 130, 132-134, 158-161 and 163-165.

³ The Ministry Headquarters retrieved the decrypted copy of records 166 and 169. Record 166 is not considered in this review because it was captured in full in record 169.

161, 163-165, 169, 170, 174 and 175. As discussed below, this Decision considers the reasonableness of the Ministry Headquarters' search and its reliance on the exemptions in sections 23, 27(1)(a), 27(1)(c) and 29. On her own accord, the Information Commissioner in this Decision also considers whether the PATI Act did not apply to some of the records by virtue of section 4(1)(b)(vi) of the PATI Act.

16. As required by section 47(4) of the PATI Act, the parties were invited to make representations to the Information Commissioner. The Ministry Headquarters and the Applicant did not respond to the formal invitation to make submissions, but the information they provided throughout the review is considered in this Decision.

Information Commissioner's analysis and findings

17. The Information Commissioner has considered all relevant submissions, or parts of submissions, made by the parties. She is satisfied that no matter of relevance has been overlooked.

Reasonable search – section 12(2)(b) of the PATI Act and regulation 5 of the PATI Regulations

18. Section 12(2)(b) of the PATI Act requires public authorities to make every reasonable effort to respond to PATI requests completely and accurately. Regulation 5 of the PATI Regulations requires public authorities, through their Information Officers, to make reasonable efforts to locate records responsive to a PATI request. Regulation 5(2) requires a public authority to document its efforts if it has been unable to locate any record. Read together, these provisions require public authorities to conduct a reasonable search in response to a PATI request.
19. In cases where the reasonableness of a public authority's search is in question, the Information Commissioner's task is to assess whether such search was reasonable in accordance with the provisions of the PATI Act and Regulations. It is not her role to assess whether a public authority should or should not hold a record as a matter of good public administration.
20. In determining whether a public authority's search was reasonable, the Information Commissioner takes into account the following:
 - [1] the quality of the public authority's analysis of the PATI request;
 - [2] the scope of the search that it decided to make on the basis of that analysis; and
 - [3] the rigour and efficiency with which the search was then conducted.

21. The specific circumstances in each case will inform the Information Commissioner's assessment.
22. Finally, the public authority bears the burden to establish, on the balance of probabilities, that responsive records do not exist or cannot be found after all reasonable steps have been taken to find them.⁴

Public authority's submissions

23. The Ministry Headquarters did not make a specific submission on the reasonableness of its search. But in its correspondence with the Applicant, it stated that the email accounts of former Minister, Permanent Secretaries and staff were searched. The Ministry Headquarters used 'settlement', 'gratia', 'civil jurisdiction 2018 : no 25', 'wales et al', 'pca', 'protest', 'payment' and 'ministerial statement' as keywords and narrowed its search to records from 8 February 2018 to 12 February 2019 only. The Ministry Headquarters also changed the email search setting to ensure that all records containing the relevant keywords were captured.
24. In its response to the Applicant, the Ministry Headquarters also provided the Applicant with documentation of its attempt to locate the Ministerial Statement responsive to item 1. The documentation and the Ministry Headquarters' internal review decision showed that a specific folder from 2019 as well as the computer and email of the relevant staff who ordinarily drafted the Minister's statement were searched and this resulted in the identification of the draft Ministerial Statement disclosed to the Applicant. The documentation also informed the Applicant that the draft statement was "not complete" and last edited on 14 February 2019.
25. In its internal review decision, the Ministry Headquarters decision explained that some ministers wrote their own statements or edit the versions drafted for them and may not share the final version of the statements with public servants. It was thus not unusual for the Ministry Headquarters not to have the final version of the requested Ministerial Statement.
26. The Ministry Headquarters' internal review decision informed the Applicant that the search was conducted by an officer, assisted by two other staff members, and was conducted between mid-December 2021 and 22 February 2022.

⁴ See [Decision 04/2017](#), [Department of Health](#), at paras. 37-49, and more recently [Decision 01/2023](#), [Ministry of Legal Affairs and Constitutional Reform Headquarters](#), at paras. 30-35.

Applicant's submissions

27. In their internal review request, the Applicant expressed concerns that the draft Ministerial Statement disclosed in response to item 1 of the request was incomplete. The Applicant clarified that item 1 of the request was asking for the statement that the then-Minister had in front of him when he was stopped from delivering it. The Applicant referred to a Royal Gazette article⁵ which reported that, on 15 February 2019, the Speaker of the House of Assembly blocked the Minister's statement on payments to the protestors.
28. The Applicant queried whether the list of names which the Information Commissioner found in [Decision 11/2022, Ministry of National Security Headquarters](#) to fall outside the scope of PATI Act under section 4(1)(b)(vi), was the only list or record responsive to item 3.
29. In its earlier correspondence with the Ministry Headquarters, the Applicant made suggestions on the keywords and parameters to be used during the email search. The Applicant submitted that doing a number of separate searches of all folders using certain keywords together should help to narrow down the number of records found.

Discussion

30. The Information Commissioner considers the reasonableness of the Ministry Headquarters' search to locate records responsive to items 1-3 of the PATI request.

[1] The quality of the public authority's analysis of the PATI request

31. The Ministry Headquarters' analysis of item 1 was adequate. Although it was only able to provide the Applicant with the draft copy of the Ministerial Statement, it understood that the Applicant sought the final version of the same.
32. Similarly, the Ministry Headquarters' analysis of items 2 and 3 were also adequate. The information provided to the Applicant and the records located during the initial search showed that the Ministry Headquarters had not unnecessarily narrowed the scope of these specific items of the request.

[2] The scope of the search that it decided to make on the basis of that analysis

⁵ The Royal Gazette, '[Pepper spray payouts statement postponed](#)', 16 February 2019.

33. The scope of the search conducted by the Ministry Headquarters was adequate. To locate the records responsive to items 2 and 3, the Ministry Headquarters searched the email accounts of the former Minister for National Security, two Permanent Secretaries, and staff. In addition to these locations, to locate the Ministerial Statement responsive to item 1, the Ministry Headquarters also search the files of the relevant individuals who, due to their positions and roles in the Ministry Headquarters during the relevant time, could reasonably hold the responsive records.

[3] The rigour and efficiency with which the search was then conducted

34. The Ministry Headquarters' search was led by an officer who, due to their role, was familiar with the topic as well as the roles of various individuals within the public authority. Two additional staff assisted with the search task. However, some questions arise as to the efficiency of the search, which appears to only have used keywords without appropriate operators and parameters to narrow the search. This search approach returned an unworkable number of results. Any concern, however, was rectified during this review when searches were re-done with a more efficient approach, using operators and parameters that significantly narrowed the results.⁶
35. Questions around the rigour and efficiency of the initial search also arise due to the encrypted emails to which the Ministry Headquarters did not have access to. But this was also remedied during the review, as 18 responsive encrypted emails were identified. As discussed above, the decrypted versions of two of the six emails to which the Information Commissioner required accessed were retrieved and provided to the Information Commissioner. While the other four emails remained encrypted and inaccessible due to technical difficulties, the Information Commissioner is satisfied that during the review the Ministry Headquarters took all the reasonable steps to access these decrypted emails.⁷

⁶ See 'Introduction to practical tips on conducting a search' (February 2024) presentation available on ico.bm.

⁷ The Information Commissioner decided not to exercise her power under section 56 of the PATI Act to compel the production of the remaining four encrypted emails on the basis that sufficient information about the 2 December 2016 protest has been made available to the public. Commissioned by the Governor and the Commissioner of Police, the UK National Police Coordination Centre published its [report](#) on the investigations of the policing around the 2 December 2016 protest. After conducting its investigation on 26 complaints regarding the use of pepper spray during the protest, on 10 August 2017 the Police Complaints Authority released its public [report](#). In July 2019, the Parliamentary Joint Select Committee established to investigate the events of 2 December 2016 published its final [report](#) on the topic. There have also been a number of relevant decisions issued by the Information Commissioner,

Conclusion

36. The Information Commissioner concluded that the Ministry Headquarters did not initially meet the reasonable search requirements in section 12 of the PATI Act and regulation 5 of the PATI Regulations. However, she is satisfied that the search requirements in the relevant provisions have now been met.
37. The Information Commissioner notes that the Applicant was correct that the list of payments that was found to fall outside the scope of the PATI Act in [Decision 11/2022, Ministry of National Security Headquarters](#), was not the only record responsive to item 3 of the PATI request. An excel spreadsheet attached to record 39 also contained information on the recipients of the payments and thus was responsive to item 3. Record 39 and its attachment are considered below.

Application – section 4(1)(b)(vi)

38. Sir Christopher Clarke explained in [Information Commissioner v Attorney General](#), paragraph 18, that the “PATI Act excludes from its operation the records of a substantial number of public bodies to which the Legislature has decided that it shall not apply so long as such records do not relate to the general administration of the relevant body”. Among these are records that were obtained or created by the AG’s Chambers in the course of carrying out its functions, as set out in section 4(1)(b)(vi) of the PATI Act.
39. The provision in section 4(1)(b)(vi) does not mean that the public does not have the right to ask for records obtained or created by the AG’s Chambers. The public can make a PATI request for those records, and public authorities must respond to their requests in accordance with the provisions of the PATI Act.⁸ A public authority is justified to deny

see: [Decision 25/2019, Bermuda Police Service](#), [Decision 17/2020, Office of the Clerk of the Legislature](#), [Decision 08/2021, Police Complaints Authority](#), and [Decision 11/2022, Ministry of National Security Headquarters](#). These decisions and the PATI requests considered in them have resulted in the disclosure of records relating to the protest and the settlement.

⁸ Sir Christopher Clarke explained in [Information Commissioner v Attorney General](#) [2023] CA (Bda) 6 Civ, at paragraph 75: “I would hold that, until it has been accepted by the requester, or determined by the Commissioner, that the records which are sought are excluded from the operation of the PATI Act...they cannot be treated as so excluded. Accordingly, [the PATI requester] was entitled, under section 45, to apply to the Commissioner for a review of the decision made by the [Head of Authority] in respect of the records which she sought, and the Commissioner was entitled to commence a review of the matter” under section 47.

public access to those records if it can show that the records fall under the category prescribed in section 4(1)(b)(vi).

40. Section 4(2) provides that records relating to the general administration of the AG's Chambers continue to fall within the scope of the PATI Act. In interpreting the scope of section 4(2), Justice Subair Williams in [Attorney General v Information Commissioner](#), paragraph 40, adopted the definition of 'general administration' set out by the Irish Information Commissioner, i.e., records relating to personnel, pay matters, recruitment, accounts, information, technology, accommodation, internal organisation, office procedures and the like.⁹
41. To determine whether a record falls outside the scope of the PATI Act by virtue of section 4(1)(b)(vi), the following must be considered:

[1] Was the record obtained or created by the AG's Chambers?

[2] Was the record obtained or created by the AG's Chambers in the course of carrying out its functions?

[3] Did the record relate to the AG's Chambers' general administration and come within the scope of the PATI Act by virtue of section 4(2)(b)?

42. Because section 4(1) addresses the application of the PATI Act, the Information Commissioner may consider this provision on her own accord when the parties do not raise it, as she did in this Decision.

Discussion

43. The applicability of section 4(1)(b)(vi) is considered for records 19, 30-34, 39, 40b, 52, 62, 63, 67, 88a, 90, 95, 95a, 96, 102, 104, 106, 108, 114, 129, 130, 132-134, 151, 158-161, 163-165 and 170.

[1] Was the record obtained or created by the AG's Chambers?

⁹ Although the Court of Appeal overturned Justice Subair Williams's ruling regarding the Information Commissioner's power to examine records that public authorities claim to fall outside the scope of the PATI Act under section 4(1), the Court of Appeal did not disturb Justice Subair Williams's findings on the meaning of records relating to general administration and their distinction with records related to the functions of those public authorities, bodies and persons listed in section 4. In [Decision 02/2019, Office of the Governor](#), paragraph 20, the Information Commissioner adopted this definition of 'general administration' as applied by the Irish Information Commissioner.

44. Records 19, 30-34, 52, 62, 63, 67, 88a, 90, 95, 95a, 96, 102, 104, 106, 108, 114, 129, 130, 132-134, 151, 158-161, 163-165 and 170 were emails which were either received or sent by AG's Chambers.
45. Record 39 consisted of emails involving the AG's Chambers and an excel spreadsheet containing a list of the payment recipients. Record 40b is a list of the payout recipients attached to a letter from the AG's Chambers. Both records were responsive to item 3 of the PATI request and were obtained or created by the AG's Chambers.

[2] Was the record obtained or created by the AG's Chambers in the course of carrying out its functions?

46. The records identified above were obtained or created by the AG's Chambers while performing its functions as the Government's legal advisor in relation to a judicial review brought against the Police Complaints Authority for its report on the policing of the 2 December 2016 protest.

[3] Did the record relate to the AG's Chambers' general administration and come within the scope of the PATI Act by virtue of section 4(2)(b)?

47. None of the relevant records or parts of records related to the AG's Chambers' general administration. They related to the AG's Chambers' performance of its core functions as opposed to, for example, its personnel, pay matters, recruitment, accounts, information technology, accommodation, internal organisation, office procedures and the like.

Conclusion

48. The PATI Act did not apply to records 19, 30-34, 39, 40b, 52, 62, 63, 67, 88a, 90, 95, 95a, 96, 102, 104, 106, 108, 114, 129, 130, 132-134, 151, 158-161, 163-165 and 170 by virtue of section 4(1)(b)(vi) because they were obtained or created by the AG's Chambers in the course of carrying out its functions.

Records submitted for Cabinet's consideration – section 27(1)(a)

49. Section 27(1)(a) entitles public authorities to deny public access to a record that has been submitted to the Cabinet for its consideration or is proposed by a Minister of Government to be so submitted. The exemptions in section 27(1) for various Cabinet records are grounded in a constitutional convention to safeguard the proper functioning of the Cabinet and enable Ministers to exchange views and deliberate, while at the same time enabling the disclosure of the outcomes of the Cabinet's deliberations.

50. The exemption in section 27(1)(a) specifically protects records brought into existence for the purpose of submission for the Cabinet's consideration. This requires public authorities to determine the purpose of the document's creation. Section 27(1)(a) does not apply to a record if the sole or dominant purpose for creating the record was not to submit it for the Cabinet's consideration.
51. The exemption's application is limited to records actually submitted, or proposed to be submitted, by a Minister. Further, the submission (or proposed submission) must be for 'consideration' by the Cabinet. This means that the submitted records will more likely require some action by or on behalf of the Cabinet, such as its discussion or decision. This aligns with the exemption's purpose to safeguard the integrity of the Cabinet process.
52. By virtue of the exceptions set out in section 27(2), the exemptions in section 27(1) do not apply to a record, or part of a record, that contains purely statistical, technical or scientific material. The exemptions still apply, however, if its disclosure would involve, or could reasonably be expected to involve, the disclosure of any deliberation or decision of the Cabinet. This may occur because the information consists of selective material or facts, or because it is so inextricably intertwined with the Cabinet's deliberative thinking that it will reveal deliberations, e.g., what options, advice or recommendations are considered.
53. The Information Commissioner has consistently interpreted 'deliberation' in the PATI Act as the consideration or evaluation of competing arguments, information and facts with a view to making a decision.¹⁰
54. 'Would' means that there is a high probability that the anticipated harm can occur. It has also been described as a significant and weighty chance of the harm occurring. 'Could reasonably be expected to' is a lesser likelihood of the adverse effect occurring. It would still require a public authority to distinguish between what is merely speculative, irrational or absurd, and expectations that are likely, plausible or possible based on real and substantial facts.¹¹
55. Where the decision of the Cabinet has been made public already, releasing information is unlikely to 'disclose' the Cabinet's decision or deliberation.¹²

¹⁰ [Decision 02/2019, Office of the Governor](#), paragraph 168. See also [Decision 18/2022, Ministry of Health Headquarters](#), paragraphs 74-75.

¹¹ [Decision 12/2018, Ministry of Finance Headquarters](#), paragraphs 71-72.

¹² [Decision 18/2022, Ministry of Health Headquarters](#), paragraph 77.

56. In accordance with section 3 of the Interpretation Act 1951 (**Interpretation Act**), the ‘Cabinet’ means the Cabinet for Bermuda constituted in accordance with section 57 of the Constitution, i.e., the Premier and Ministers appointed under section 58 of the Constitution. As set out in section 27(3), the Cabinet also includes any committee of the Cabinet.
57. Neither the PATI Act nor the Interpretation Act define ‘statistical, technical or scientific material’. These phrases should be read in their ordinary meaning:¹³
- a. Statistical means “relating to the use of statistics”. Statistics are defined as the “practice or science of collecting and analysing numerical data in large quantities, especially for the purpose of inferring proportions in a whole from those in a representative sample”.
 - b. Technical means “relating to a particular subject, art, or craft, or its techniques”.
 - c. Scientific means “based on or characterised by the methods and principles of science”.
58. ‘Purely’ in section 27(2) distinguishes information that is objectively factual, on the one hand, from information that reflects the Cabinet’s deliberations because it consists of selective material or is so inextricably intertwined with deliberative thinking that it will reveal deliberations (e.g., what options, advice, recommendations were considered). A record containing opinions and analysis in relation to policy issues is not “purely statistical, technical or scientific material”.¹⁴
59. The Cabinet document exemptions in section 27(1) are absolute exemptions, meaning that none of them are subject to the public interest test.
60. In sum, to appropriately rely on the exemption in section 27(1)(a) in denying public access to a record, public authorities must consider and demonstrate¹⁵:
- [1] Whether the record has been submitted to the Cabinet for its consideration or whether it was proposed by a Minister to be submitted?
 - [2] Whether the record was brought into existence for the purpose of submission for consideration by the Cabinet?

¹³ Oxford Dictionary of English (3rd ed. 2010).

¹⁴ [Decision 18/2022, Ministry of Health Headquarters](#), paragraph 81.

¹⁵ [Decision 18/2022, Ministry of Health Headquarters](#), paragraph 83.

[3] Whether the record, or part of the record, contained purely statistical, technical or scientific material?

[4] If so, whether disclosure could reasonably have been expected to involve the disclosure of the Cabinet's deliberation or decision?

61. A public authority bears the burden of satisfying the Information Commissioner that, on the balance of probabilities, it has provided sufficient support to justify applying the exemption.

Public authority's submissions

62. The Ministry Headquarters relied on section 27(1)(a) to deny public access to record 40a, as it was a Cabinet Memorandum.

Applicant's submissions

63. The Applicant did not make submission on this exemption.

Discussion

64. The Information Commissioner considers the Ministry Headquarters' reliance on section 27(1)(a) for record 40a only.

[1] Whether the record has been submitted to the Cabinet for its consideration or whether it was proposed by a Minister to be submitted?

65. As claimed by the Ministry Headquarters, record 40a was a Cabinet Memorandum of the settlement payment in relation to the 2 December 2016 protest that was submitted to the Cabinet.

[2] Whether the record was brought into existence for the purpose of submission for consideration by the Cabinet?

66. Because record 40a was created to invite and allow the Cabinet to make a decision on the settlement payment, it was brought into existence for the sole purpose of the Cabinet's consideration.

[3] Whether the record, or part of the record, contained purely statistical, technical or scientific material?

[4] If so, whether disclosure could reasonably have been expected to involve the disclosure of the Cabinet's deliberation or decision?

67. While record 40a contained some technical information, its disclosure could reveal a crucial factor considered by the Cabinet in its deliberation. In this sense, the technical information was intertwined with the Cabinet’s deliberation and decision.

Conclusion

68. The Information Commissioner is satisfied that the Ministry Headquarters was justified in relying on section 27(1)(a) to withhold record 40a.

Draft of Cabinet document – section 27(1)(c)

69. Section 27(1)(c) entitles public authorities to deny public access to a record if it is a draft or copy of, or an extract from, a record referred to in subsection (a) or (b). Subsection (a) refers to records submitted for the Cabinet’s consideration or those that are proposed by a Minister to be submitted. Subsection (b) refers to an official record of any deliberation or decision of the Cabinet.
70. A ‘copy’ is a reproduction or duplicate of the document, for example, a photocopy or printed copy. A ‘draft’ is a preliminary version of the document. It should be the actual document, preferably marked as a draft. An ‘extract’ usually contains a reproduction of part of the text or material such as a quote, paraphrase or summary. Simply referring to a Cabinet document is not sufficient.¹⁶
71. The exemption is not engaged if the exception in section 27(2) applies, as described in paragraph 52 above.
72. The exemption in section 27(1)(c) is an absolute one, in that it is not subject to the public interest test.
73. In sum, to appropriately rely on the exemption in section 27(1)(c) in denying public access to a record, public authorities must consider and demonstrate:

[1] Whether the record was a draft of, copy of, or extract from a record referred to in section 27(1)(a) or (b)?

[2] Whether the record contained purely statistical, technical or scientific material?

[3] If so, whether the disclosure could reasonably be expected to involve the disclosure of the Cabinet’s deliberation or decision?

¹⁶ [Decision 18/2022](#), [Ministry of Health Headquarters](#), paragraph 97, citing the Exemption Practice Note 1 of the Victorian Information Commissioner’s Office.

74. A public authority bears the burden of satisfying the Information Commissioner that, on the balance of probabilities, it has provided sufficient support to justify applying the exemption.

Public authority's submissions

75. The Ministry Headquarters relied on section 27(1)(c) to deny public access to records 36a, 38a and 41a which it believed to be draft of records that would be exempt under section 27(1)(a) and (b).

Applicant's submissions

76. The Applicant did not make submission on this exemption.

Discussion

77. The Information Commissioner considers the Ministry Headquarters' reliance on section 27(1)(c) for records 36a, 38a and 41a only.

[1] Whether the record was a draft of, copy of, or extract from a record referred to in section 27(1)(a) or (b)?

78. Records 36a and 38a were draft official notices from a Cabinet meeting which discussed, among others, the settlement regarding the 2 December 2016 protest. The final versions of these notes would have been official records of the Cabinet's deliberation or decision exempt under section 27(1)(b).

79. Record 41a is a draft of record 40a which, as explained above, was a Cabinet Memorandum on the settlement payment and exempt under section 27(1)(a).

[2] Whether the record contained purely statistical, technical or scientific material?

[3] If so, whether disclosure could reasonably have been expected to involve the disclosure of the Cabinet's deliberation or decision?

80. The responsive parts of records 36a and 38a contained factual, but not technical, information. Because record 41a was a draft of record 40a, it contained similar technical information whose disclosure could reasonably reveal the Cabinet's deliberation, as previously discussed.

Conclusion

81. The Information Commissioner is satisfied that the Ministry Headquarters was justified in relying on section 27(1)(c) to withhold records 36a, 38a and 41a.

Deliberation of public authorities – section 29

82. A public authority may rely on section 29(1) to deny access to a public record whose disclosure would, or could reasonably be expected to, undermine the deliberative process of a public authority, including free and frank discussion and provision of advice in the course of that process.
83. As the Information Commissioner explained in [Decision 14/2021, Office of the Governor](#), releasing the records at issue must undermine a public authority's 'deliberative process'. This refers to the consideration or evaluation of competing arguments, information and facts with a view to making a decision¹⁷. A deliberative process is, at its most basic, the thinking process of an agency¹⁸. This exemption is in place to safeguard the integrity of this process for public authorities' decision making.
84. A public authority must show that, at a minimum, disclosure 'could reasonably be expected to' undermine a public authority's deliberative process. The plain meaning of 'undermine' is to "lessen the effectiveness, power or ability of, especially gradually or insidiously".¹⁹ Whether it is reasonable to think that the harm will occur will depend on the circumstances of each case, including the timing of the request, whether the issue is still live, and the actual content and sensitivity of the information in question.
85. The exemption in section 29(1) does not apply to certain categories of information, such as factual or statistical information (section 29(2)(a)) or information in the nature of the reasons of a public authority for making a particular decision (section 29(2)(d)).
86. 'Factual information' is not defined in the PATI Act or the Interpretation Act. The Irish Freedom of Information Act 2014 has a provision similar to section 29(2)(a) of the PATI Act, and the Irish Information Commissioner's discussion of that provision offers a useful definition of 'factual information' in this context. The Irish Information Commissioner has adopted the following plain meaning of "factual" as: "[s]omething that has really occurred or is actually the case; something certainly known to be of this character; hence, a

¹⁷ See [Decision 02/2019](#), Office of the Governor, para. 168.

¹⁸ See Queensland's Office of the Information Commissioner (17 September 2019), [Interpreting the legislation – Right to Information Act 2009, Deliberative Process](#), para. 3.1. See also Western Australia's Office of the Information Commissioner (October 2001), [FOI Guide No. 3, Deliberative Process](#), p. 1.

¹⁹ Oxford Dictionary of English (3rd ed. 2010).

particular truth known by actual observation or authentic testimony, as opposed to what is merely inferred, or to a conjecture or fiction; a datum of experience, as distinguished from the conclusions that may be based upon it”.²⁰ Factual information is “distinguishable from information in the form of [a] proposal, opinion or recommendation”.²¹

87. Generally, the release of factual information will not reveal deliberations or otherwise threaten a public authority’s deliberative process. Two contexts arise when this distinction between factual and deliberative materials may not stand.²² First, in some records, the factual information may be so inextricably connected with the deliberative material that disclosure would reveal and cause harm to the public authority’s deliberation. The second context arises when a record contains selective facts collated from a larger group of facts, and the distilling of facts itself is a deliberative process. It indicates the facts the author found relevant or significant and those deemed irrelevant or insignificant to the matter at hand.
88. The exemption in section 29(1) is subject to the public interest test. If the exemption is engaged, the records or parts of records must still be disclosed if the public interest would, on balance, be better served by disclosure than by non-disclosure.
89. In sum, when applying the exemption in section 29(1), a public authority must ask:
 - [1] What was the relevant deliberative process involved?
 - [2] Did any of the information fall within the exceptions listed in section 29(2)?
 - [3] Could disclosure of the record reasonably have been expected to undermine the identified deliberative process of a public authority?
 - [4] If the exemption is engaged, did the balance of the public interest require disclosure?

²⁰ Ireland’s Office of the Information Commissioner (August 2015), [Guidance Note, Freedom of Information Act 2014 Section 29 – Deliberations of FOI Bodies](#), paras. 3.3.1. The decisions cited in the Guidance Note relied on the definition provided by the Oxford English Dictionary.

²¹ See [Decision 14/2021, Office of the Governor](#), which referred to Ireland’s Office of the Information Commissioner (August 2015), [Guidance Note, Freedom of Information Act 2014 Section 29 – Deliberations of FOI Bodies](#), paras. 3.3.1.

²² See, for example, Office of the Australian Information Commissioner (December 2016), [FOI Guidelines, Part 6 – Conditional exemptions](#), para. 6.73.

90. A public authority bears the burden of satisfying the Information Commissioner that, on the balance of probabilities, it has provided sufficient support to justify its reliance on section 29(1) to deny access to the records.

Public authority's submissions

91. The Ministry Headquarters relied on section 29(1) to deny public access to certain parts of records 142a and 142. It explained that disclosure could reasonably undermine free and frank discussion and provision of advice amongst the Civil Service Executives (CSE). Further, conversing in a free and frank manner during the CSE meetings is part of the CSE's responsibility. The Ministry Headquarters accepted that the information in the records might be innocuous, but disclosure could debilitate the CSE's openness and frankness. It emphasised that the CSE's ability to have a free and frank discussion on various public policy affecting the public is sacrosanct.

Applicant's submissions

92. The Applicant did not make submission on this exemption.

Discussion

93. The Information Commissioner considers the Ministry Headquarters' reliance on section 29(1) for 142a and 142b only.

[1] What was the relevant deliberative process involved?

94. Record 142a was an agenda for a meeting of the CSE. Record 142b was minutes from the same CSE meeting, with one paragraph in particular referred to the payments to the 2 December 2016 protestors. Both records mentioned about the payment, but there was no relevant deliberative process involved in neither record 142a nor the relevant part of record 142b. It did not include any consideration or evaluation of competing arguments, information and facts with a view to making a decision around the payment.

Conclusion

95. The Information Commissioner is not satisfied that the Ministry Headquarters was justified in relying on section 29(1) to withhold record 142a and the relevant part of record 142b.

Personal information – section 23(1)

96. Under section 23(1) of the PATI Act, public authorities may deny public access to records or parts of records which consist of personal information. Section 24(1) broadly defines

‘personal information’ as information recorded in any form about an identifiable individual.

97. Certain information about identifiable individuals is excluded from the definition of ‘personal information’ in the PATI Act, in accordance with section 24(2). For example, section 24(2) excludes certain information about contractors performing services for a public authority, or information relating to any discretionary benefit of a financial nature conferred on an individual by a public authority.
98. The exemption in section 23(1) also does not apply to the limited circumstances set out in subsection (2). It does not apply, for example, if the information in the requested records relates to the PATI requester (see subsection (2)(a)).
99. The personal information exemption is subject to the public interest test. Records which are found to be exempt under section 23(1) would still have to be disclosed, if the public interest would, on balance, be better served by disclosure instead of non-disclosure. In considering the public interest test for disclosure of personal information, the following factors have to be taken into consideration²³:
 - a. Whether disclosure will further the public interest, including but not limited to the factors listed in regulation 2 of the PATI Regulations.
 - b. Whether disclosure would be fair to the individual under all of the circumstances. Evaluating the fairness of any disclosure may include consideration of the following:
 - i. Whether sensitive personal information was involved?
 - ii. What would be the consequences upon the individual of disclosure?
 - iii. What are the reasonable expectations of privacy of a person in the individual’s position?
 - c. Whether disclosure of the personal information is necessary to further the public interests that have been identified.
100. In sum, as the Information Commissioner explained in [Decision 02/2019, Office of the Governor](#), public authorities must consider the following questions before denying public access to records under the personal information exemption²⁴:

²³ [Decision 02/2019, Office of the Governor](#), paragraph 51.

²⁴ [Decision 02/2019, Office of the Governor](#), paragraph 56.

[1] Whether the records consisted of information about an identifiable individual?

[2] Whether the information fell within any of the exclusions to the definition of personal information (section 24(2))?

[3] Whether any of the exceptions to the exemption in section 23(2) applied to the records?

[4] If the exemption for personal information in section 23(1) was engaged, whether the balance of the public interest required disclosure?

101. Given the importance of the protection of personal information and privacy, particularly in a small jurisdiction such as Bermuda, the Information Commissioner may consider the personal information exemption on her own accord and without the provision being relied upon by any of the parties.

Public authority's submissions

102. The Ministry Headquarters relied on section 23(1) to withhold certain parts of records 1, 2, 7, 10, 17, 18, 79, 80, 124, 127, 140, 142, 147, 149, 156, 157, 174 and 175.

Applicant's submissions

103. The Applicant did not make submission on this exemption.

Discussion

104. The Information Commissioner considers the Ministry Headquarters' reliance on section 23(1) to withhold certain parts of records 1, 2, 7, 10, 17, 18, 79, 80, 124, 127, 140, 142, 147, 149, 156, 157, 174 and 175. On her own accord, she considers section 23(1) for certain parts of records 142a, 142b and 169 which consisted of information about individuals.

[1] Whether the records consisted of information about an identifiable individual?

105. Certain parts of records 1, 2, 7, 10, 17, 18, 79, 80, 124, 127, 140, 142, 142a, 142b, 147, 149, 156, 157, 169, 174 and 175 contained information about identifiable individuals, such as officers of public authorities, elected officials and private individuals who were involved in the discussion around the settlement payment. The relevant information included the names of these individuals, their employment history and their involvement in the settlement payment discussion.

[2] Whether the information fell within any of the exclusions to the definition of personal information (section 24(2))?

106. Although many of the individuals whose information appeared in the records were officers or employees of public authorities, the relevant information related to the performance of their positions and functions, as opposed to the positions and functions they held in their respective public authorities. The exclusion in section 24(2)(a) thus did not apply to any of the records being considered.

[3] Whether the information fell within any of the exclusions to the definition of personal information (section 24(2))?

107. None of the exceptions in section 23(2) applied to the relevant parts of records 1, 2, 7, 10, 17, 18, 79, 80, 124, 127, 140, 142, 142a, 142b, 147, 149, 156, 157, 169, 174 and 175. Specifically, the information concerned did not relate to the Applicant and the individuals to whom the information relates had not given written consent to disclosure of their personal information.

[4] If the exemption for personal information in section 23(1) was engaged, whether the balance of the public interest required disclosure?

108. There is a general public interest in the promotion of greater public understanding of the process or decisions of public authorities, accountability of and within the Government, as well as accountability for public expenditure. In this case, \$225,000 was taken from the public purse to pay for the settlement with the individuals involved in the 2 December 2016 protest. Because personal information is at issue, however, these general public interest factors have to be weighed against the fairness and necessity of disclosure of such information.

109. In terms of fairness, elected officials and individuals who held senior positions and had decision-making authorities within public authorities have, or should objectively have, expectations that some personal information relating to their work would be made available to the public, for transparency and accountability purposes. For these reasons, disclosure of the names of two specific individuals (which were previously withheld by the Ministry Headquarters) in records 2 and 149²⁵, as well as the names and positions of other individuals in records 142a, 142b and 169 was in the public interest. In contrast, officers of public authorities who only played administrative role in the execution of the settlement payment had reasonable expectations that their work personal information would not be disclosed to the public. Similarly, private individuals who were involved in the discussion around the settlement payment also had reasonable expectations that

²⁵ On her own accord, the Information Commissioner also invoked section 23(1) to redact certain personal information in records 2 and 148, which the Ministry Headquarters previously unredacted.

their personal information would not be made public, particularly in light of the existence of settlement agreement which likely contained a non-disclosure agreement. In this sense, disclosure of these non-senior public officers and private individuals would have been unfair.

110. Further, disclosure of personal information of the non-senior public officers and private individuals as well as the contact details of elected officials and senior public officers would have been unnecessary. As explained in the footnote to paragraph 35, there have been significant amount of disclosure, under the PATI Act or otherwise, in relation to the 2 December 2016 protest as well as the settlement payment. Disclosure of certain personal information of the relevant individuals would have not promoted transparency and accountability around the payment and use of public money further.

Conclusion

111. The Information Commissioner is satisfied that the Ministry Headquarters was justified in relying on section 23(1) to withhold certain parts of records 1, 2, 7, 10, 17, 18, 79, 80, 124, 127, 140, 142, 147, 149, 156, 157, 174 and 175, but not for information about two specific individuals in records 2 and 149. On her own accord the Information Commissioner found that section 23(1) also applied to parts of records 142a, 142b and 169. For records 2, 142a, 142b, 149 and 169, the Information Commissioner found that disclosure of certain personal information is required by the public interest.

Conclusion

112. The Information Commissioner finds that:

- a. The Ministry Headquarters' initial search for items 1-3 was not reasonable, but the reasonable search requirements in section 12(2)(b) of the PATI Act and regulation 5 of the PATI Regulations were met during the review,
- b. The PATI Act did not apply to records 19, 30-34, 39, 40b, 52, 62, 63, 67, 88a, 90, 95, 95a, 96, 102, 104, 106, 108, 114, 129, 130, 132-134, 151, 158-161, 163-165 and 170 by virtue of section 4(1)(b)(vi),
- c. The Ministry Headquarters was justified in relying on section 27(1)(a) to withhold record 40a and on section 27(1)(c) to withhold records 36a, 38a and 41,
- d. The Ministry Headquarters was not justified in relying on section 29(1) to withhold record 142a and the relevant part of record 142b, and
- e. The Ministry Headquarters was justified in relying on section 23(1) to withhold certain parts of records 1, 2, 7, 10, 17, 18, 79, 80, 124, 127, 140, 142, 147, 149,

156, 157, 174 and 175, but not for information about two specific individuals in records 2 and 149. On her own accord, the Information Commissioner found that section 23(1) applied to parts of records 142a, 142b and 169, and that for all of these records, the disclosure of certain personal information is required by the public interest.

Decision

The Information Commissioner finds that the Ministry of National Security Headquarters (**Ministry Headquarters**) did not conduct a reasonable search in accordance with section 12 of the Public Access to Information (**PATI**) Act 2010 and regulation 5 of the PATI Regulations during its handling of the Applicant's PATI request, but this was remedied during the review. The Information Commissioner further finds that the PATI Act did not apply to records 19, 30-34, 39, 40b, 52, 62, 63, 67, 88a, 90, 95, 95a, 96, 102, 104, 106, 108, 114, 129, 130, 132-134, 151, 158-161, 163-165 and 170 by virtue of section 4(1)(b)(vi). She also finds that the Ministry Headquarters was justified in relying on section 27(1)(a) to withhold record 40a, on section 27(1)(c) to withhold records 36a, 38a and 41a, and on section 23(1) to withhold certain parts of records 1, 2, 7, 10, 17, 18, 79, 80, 124, 127, 140, 142, 147, 149, 156, 157, 174 and 175. On her own accord, the Information Commissioner finds that section 23(1) applied to parts of records 142a, 142b and 169, though disclosure of certain personal information in these records was required by the public interest.

The Information Commissioner finds that the Ministry Headquarters was not justified in relying on section 29(1) to withhold record 142a and relevant parts of record 142b, and on section 23(1) to withhold information about two specific individuals in records 2 and 149.

In accordance with section 48 of the PATI Act, the Information Commissioner:

- Affirms the Ministry Headquarters' decision to deny public access by relying on:
 - section 27(1)(a) for record 40a,
 - section 27(1)(c) for records 36a, 38a and 41a, and
 - section 23(1) for certain parts of records 1, 2, 7, 10, 17, 18, 79, 80, 124, 127, 140, 142, 147, 149, 156, 157, 174 and 175.
- Reverses the Ministry Headquarters' decision to deny public access by relying on:
 - section 29(1) for record 142a and certain parts of record 142b, and
 - section 23(1) for certain parts of records 2 and 149.
- Varies the Ministry Headquarters' decision to deny access to:
 - records 19, 30-34, 39, 40b, 52, 62, 63, 67, 88a, 90, 95, 95a, 96, 102, 104, 106, 108, 114, 129, 130, 132-134, 151, 158-161, 163-165 and 170, by virtue of section 4(1)(b)(vi), and

- certain parts of records 142b and 169, by virtue of section 23(1).
- Orders the Ministry Headquarters to disclose a copy of record 142a and a redacted copy of records 142b and 169, as well as a new version of redacted copy of records 2 and 149, as directed by this Decision and the accompanying Confidential Annex and Order, which form part of this Decision, on or before **Wednesday, 12 June 2024**.

Judicial Review

The Applicant, the Ministry of National Security Headquarters, or any person aggrieved by this Decision has the right to seek and apply for judicial review to the Supreme Court in accordance with section 49 of the PATI Act. Any such application must be made within six months of this Decision.

Enforcement

The Decision has been filed with the Supreme Court, in accordance with section 48(3) of the PATI Act. If the Ministry Headquarters fails to comply with this Decision, the Information Commissioner has the authority to pursue enforcement in the same manner as an Order of the Supreme Court.

Gitanjali S. Gutierrez
Information Commissioner
1 May 2024

Appendix I: Relevant statutory provisions

Public Access to Information Act 2010

Application

- 4 (1) Subject to subsection (2), this Act does not apply to—
- ...
- (b) records obtained or created by any of the following public authorities in the course of carrying out their functions—
- ...
- (vi) the Attorney General’s Chambers;
- ...
- (2) The reference to records in subsection (1) does not include records relating to the general administration of –
- ...
- (b) any public authority referred to in subsection (1)(b).

Access to records

- 12 (2) Public authorities shall make every reasonable effort to—
- ...
- (b) respond to requests completely, accurately and in a timely manner.
- ...

Public interest test

- 21 For the purposes of this Part, the test of whether disclosure by a public authority of a record or the existence of a record is in the public interest is whether the public interest would, on balance, be better served by disclosure than by non-disclosure.

Personal information

- 23 (1) Subject to the provisions of this section, a record that consists of personal information is exempt from disclosure.
- ...
- (6) A record that contains personal information relating to an individual shall be disclosed if disclosure of it is in the public interest or would benefit the individual.

Definition of personal information

- 24 (1) Subject to subsection (2), “personal information” means information recorded in any form about an identifiable individual, including—

...

Cabinet documents

- 27 (1) Subject to subsections (2) and (3), a record is exempt if it is—
- (a) a record that has been submitted to the Cabinet for its consideration or is proposed by a Minister of Government to be so submitted, being a record that was brought into existence for the purpose of submission for consideration by the Cabinet;
 - ...
 - (c) a record that is a draft or copy of, or an extract from, a record referred to in paragraph (a) or (b); or
 - ...
- (2) Subsection (1) does not apply to a record that contains purely statistical, technical or scientific material unless the disclosure of the record would involve, or could reasonably be expected to involve, the disclosure of any deliberation or decision of the Cabinet.
- ...

Deliberations of public authorities

- 29 (1) Subject to subsections (2) and (3), a record is exempt from disclosure if it consists of information, the disclosure of which would undermine, or could reasonably be expected to undermine, the deliberative process of a public authority, including free and frank discussion and provision of advice in the course of that process.
- (2) Subsection (1) does not apply to information contained in a record that is—
- (a) factual or statistical information;
 - ...
 - (d) information in the nature of the reasons of a public authority for making a particular decision.
- (3) A record shall be disclosed if disclosure of it is in the public interest.

Public Access to Information Regulations 2014

Reasonable search

- 5 (1) An information officer shall make reasonable efforts to locate a record that is the subject of an application for access.
- (2) Where an information officer has been unable to locate the record referred to in paragraph (1), he shall make a record of the efforts he made.

**Information Commissioner for Bermuda
Maxwell Roberts Building
4th Floor
One Church Street
Hamilton, HM 11
ico.bm
441-543-3700**