



Ministry of Finance

Reference Number: 710

Samantha Strangeways

The Royal Gazette
2 Pa-La-Ville Road
Hamilton HM08

12 April, 2023

Dear Ms. Strangeways,

Re: Public Access to Information Act 2010: Decision Notice

Thank you for your request dated 27 July 2022. Your application has been granted subject to the records held that are exempted pursuant to the Public Access to Information Act 2010. The records granted will be provided alongside a schedule of records for ease of reference. All records that have been exempted will be detailed below inclusive of reasons for denying you such records.

S23 (1) Personal information: third party's information

Record 29 - Email from Hasan Durham to Jache Adams, Premier David Burt; Pamela Burrows.

- Name and email address of employee

Record 35 - 20220319LtrtoPittAndCo.pdf

- Personal information of 2 employees of the company.
- Information is not public.

Record 43 - Email from Tomika Harrell to clister@gov.bm, spgift@gov.bm, hdurham@gov.bm

- Personal information redacted.
- Small business and thus obvious who the information is pertaining to.

Section 25(1) (b) Commercial information: commercial value

Record 13 - Email RE: URGENT - RE: Smoke Shop - Tobacco for local manufacturing of tobacco products

- Discusses multiple companies and comparative with analysis.
- Commercial sensitivity of company products.

Record 19 - The Smoke Shop – PowerPoint

- Company Figures.
- Commercial sensitive information to the manufacturing process.

Record 20 - The Smoke Shop Report - Feb2022.

- Financial figures of the company's importation.

Record 27 - Email from Premier David Burt to Hasan Durham, Cheryl Lister RE: The Smoke Shop Tobacco Info.

- Detailed information of the company products.
- The company's product expenses.
- The company's financial position.

Record 38 - Email from Hasan Durham to Premier David Burt, Cheryl Lister RE: The Smoke Shop Info.

- Same as Record 27.

Record 41 - Email from Tomika Harrell to Cheryl Lister RE: Approvals from the Minister

- Information regarding a number of companies.
- Information could be detrimental to company as it relates to its competitors.

Record 42 - Email from Hasan Durham to Jache Adams RE: Re: URGENT- RE Smoke Shop- Tobacco for local manufacturing tobacco products

- Information about the financial health of the company
- The company's expenses
- Confidential information given to the public authority to assess for their application.

Record 47 - Email from Dean Lema to Hasan Durham RE: Pitt & Company – Calculation of Landed Value for Cigarette Shipments Importance: HIGH

- Discussions of numerous companies and their company DATA.
- Financial discussions that would be considered detrimental if made public.

Record 48 - 2020.11.26 Pitt & Company Cigarette Research.xlsx

- Includes irrelevant time-frames.
- Commercial information submitted for review by the Public Authority and submitted in confidence.

S25 (1) (d) Commercial information, the disclosure of which would prejudice, or could reasonably be expected to prejudice, the conduct or outcome of contractual or other negotiations of any person to whom the information relates.

Record 8 – Email from JAS to Richard Amos discussion of the Smoke Shops concession.

- Information sensitive to an application.
- Querying matters relating to an application.
- The company's personal details and the company's financial position.

Record 10 – Email FWD from Richard Amos to JAS the Smoke Shop's application for renewed access to the concessionary duty rate.

- Exact same as Record 8 above as it is the same email forwarded to another public officer.

S26 (1) (a) Information received in confidence: given in confidence

Record 11- Attachment to email of Record 10: Note to Minister (Smoke Shop- Tobacco Per Cigarette Importation Rate) 26 July 22.docx.

- The note contains information about the company received in confidence by the Public authority.
- The company's financial obligations.
- Recommendations to assist with the renewal of an application and thus not finalized

Record 12 - RE: Pitt and Co – Tobacco – Request for meeting.

- Information given in strictest confidence to the public authority.
- Details of discussions that will breach trust and confidence.

Record 14 - The Smoke Shop -Tobacco Importation Rate 12 May 2022.

- Information about the company's finances.
- The ability to compete in the relevant market.
- Recommendations which are not yet finalized.

Record 15 - Email FWD: Smoke Shop-Tobacco for local manufacturing of tobacco products 2022

- The company has highlighted the nature of the email as confidential in nature.
- Discussions of the company financial position.
- Breakdown of the company's expenses.

Record 16- Expenses List RL.pdf

- Extensive list of personal information of employees.
- A Company's finances.

Record 26 - Email from Carol Martin to Marq Telemaque RE: C33 Limited and The Smoke Shop.

- Information given in strictest confidence to the public authority.
- Detailed conversation that will breach the confidence of the company.

Record 28- Email from Carol Martin on behalf of Curtis Dickinson to Wendall Brown RE: C33 Limited and The Smoke Shop.

- Same as above Record 26.

Record 39- Email FW: From Carol Martin to Premier David Burt, Hasan Durham, Jache Adams, Ryan Perinchief FW: Pitt & Co –Duty Relief – Meeting request.

- Information given in strictest confidence to the public authority.
- Detailed conversations that will cause breach of confidence.

Record 45 - Email from Anthony Manders to Hasan Durham RE: FW: More Urgent Than We Thought – The Smoke Shop

- This email details information on the company's financial position.
- Personal information of employees.
- Information of companies.

Record 46 - Email from Richard Amos to Hasan Durham, Dean Lema Re: The Smoke Shop Meeting Notes.

- Same as above Record 45.

Record 49 - Email from Curtis Dickinson Re: Urgent Attn: The Smoke Shop Fwd: Tobacco Shipment.

- Information about the company's employees.
- The company's financial position.
- Company Invoices.

Record 29 - Re: Media query - Questions for the Minister of Finance.

- Queries about numerous companies.
- Personal information mentioned about company employees.
- Sensitive information regarding figures of a company.

S27 (1) (ba) Cabinet Document: drafting instructions or draft bills or statutory instruments

Record 5 - Instructions_CTAB_2021.docx;

Record 6 - Annex C – illustration of new CPC 4238.docx

Record 44 - Email from Richard Amos to Cathryn Balfour-Swain, Stephan Gift RE: Draft Instructions – Customs Tariff Amendment Bill 2021

Records are Absolute Exemptions and are not subject to Public Interest Test pursuant to s21 of PATI 2010.

S36 (b) Parliamentary Privilege

Record 50 - Email from Cheryl Lister to Stephan Gift Re: URGENT! URGENT Fw: Important – Legislative Agenda

S29. Deliberations of public authorities

- Personal information of companies
- Discussion for recommendations and not final results.
- Querying possible amendments or enhancing analysis.

Under section 41 of the Public Access to Information Act 2010 (the Act), you have a right to an Internal Review of a decision regarding your request.

If you wish to request an Internal Review, you have 6 weeks from this notification per section 42 of the act. The request should be made in writing to [insert name of public authority] and include:

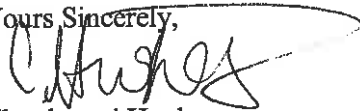
- (a) your name, address and telephone number;
- (b) a copy of your application and/or the reference number assigned to your application;
- (c) a copy of this letter; and
- (d) if so inclined, the basis on which you are requesting a review of the decision indicated.

If upon Internal Review, the decision is still not favourable to you, you have the right under section 45 of the Act to a review by the Information Commissioner of:

- (a) any decision made by the head of a public authority on an internal review, within 6 weeks after being notified of that decision; or
- (b) any failure by the head of a public authority to make a decision on review, within 6 weeks after the date when the decision was required to be made.

If you wish to request a review by the Information Commissioner, you have 6 weeks from the receipt of the internal review decision. The request should be made in writing to the Information Commissioner at 2 Par-la-Ville Road, Hamilton HM-08 or info@ico.bm.

Yours Sincerely,



Chardonnai Hughes
PATI Officer