

**Our Ref: FOI/83520**



**CAYMAN ISLANDS  
GOVERNMENT**

**Ministry of  
Commerce, Planning and Infrastructure (CPI)**

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13 November, 2018

Ms. Wendy Ledger  
c/o email: [wendyledger@caymannewsservice.com](mailto:wendyledger@caymannewsservice.com)

Dear Ms. Ledger:

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**RE: Freedom of Information Request #83520 - Internal Review**

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Please be advised that I have accepted your request for an Internal Review (email dated 10 October, 2018) in relation to the Ministry of CPI Information Manager's response to your FOI request. The decision made was to grant access to a redacted version of the requested record. Redactions were made based on the exemption clauses stated in section 18 and 21 of the Freedom of Information Law, (2015 Revision).

I have now reviewed the Freedom of Information request and subsequently the Information Manager's response to you. The Information Manager deemed that the records were redacted due to both parties entering into the Confidential Agreement with the understanding that it contained highly sensitive information, where if released could negatively impact the value of the business. Furthermore, it was explained that dissemination of any sensitive content could undermine the competitiveness of the Cayman Islands as a Jurisdiction.

Having completed my review and taken the exemptions applied into consideration, I am in agreement with the decision made to release a redacted version of the Agreement and uphold the Ministry CPI Information Manager's decision.

In addition to the exemption clauses applied by the Ministry of CPI Information Manager, consideration should also be given for Section 17(b)(i) of the Freedom of Information Law which states:

“An official record is exempt from disclosure if the disclosure thereof would constitute an actionable breach of confidence”

This section of the law also applies to the relevant record and should be used as an additional reason for the redactions to remain.

In closing, please be advised that you have the right under Section 42 of the FOI Law to appeal this decision to the Office of the Ombudsman within thirty (30) days of the date of this letter. Contact details for the Ombudsman can be found below.

A small, handwritten signature in blue ink.

**Re: FOI/83520**

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Yours sincerely,



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Joseph X. Hew, Minister  
Ministry of Commerce, Planning and Infrastructure (CPI)