



**Office of Utilities Regulation
Board Charter**

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Office of Utilities Regulation Board of Charter

DOCUMENT TITLE AND APPROVAL PAGE
1. DOCUMENT NUMBER: GOV/DIO/011
2. DOCUMENT TITLE: Office of Utilities Regulation Office Board Charter
3. PURPOSE OF DOCUMENT This document sets out the principal role of the Office and Office members, clarifies the division of roles, functions, responsibilities, and powers of the Office and its Committees.
4. AUTHOR: Secretary to the Office
5. APPROVAL This document is approved by the Chairman and becomes effective on the date of approval. On behalf of the Office: <u>Noel daCosta</u> Noel daCosta (Jun 1, 2026, 13:54:24 CDT)... Noel C. daCosta Chairman (Acting) <u>2026-06-01</u> Date

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Office of Utilities Regulation Board Charter	Original Date of Creation: March 23 2026

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Office of Utilities Regulation Board of Charter

1 OVERVIEW

The Office of Utilities Regulation (“OUR” or “Office”) is a statutory body established under the Office of Utilities Regulation Act (“OUR Act”). The OUR is responsible for the regulation of telecommunications services, generation, transmission, distribution and supply of electricity, the supply or distribution of water, and sewerage services (“utility services”). In accordance with its Mission, the OUR contributes to Jamaica’s national development by creating an environment for the efficient delivery of utility services to the customers while ensuring that service providers have the opportunity to make a reasonable return on investment.

The OUR’s regulatory and corporate governance frameworks are primarily governed by the Office of Utilities Regulation Act (“OUR Act”), the Telecommunications Act, the Electricity Act, 2015, the Electricity Licence, 2016, the National Water Sector Policy and Implementation Plan 2018, the Public Bodies Management and Accountability Act, the Financial Audit and Administration Act, the Government of Jamaica (“GOJ”) Corporate Governance Framework for Public Bodies, 2012, the Integrity Commission Act and any other relevant policy, guidelines or legislation.

The Office or “board” is the primary decision-making authority of the OUR, established pursuant to the OUR Act. The term “board” does not appear in the OUR Act, and as such, for the purposes of this Charter, the term “Office” is the equivalent of “board” and “Office members” or “Members” the equivalent of “board members” as employed in other applicable law, policy or instrument. The Office is accountable to Parliament through the Prime Minister (for administrative responsibility), hereafter referred to as the “Responsible Minister”.

This Charter defines the principal role of the Office and Office members, clarifies the division of roles, functions, responsibilities, and powers of the Office and its Committees, and outlines matters reserved for final decision-making or pre-approval by the Office and its policies and practices.

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2 OFFICE’S ROLE, ACCOUNTABILITY AND COMPOSITION

2.1 Role of the Office

The Office is the organisation’s policy and decision-making arm, ensuring that the sectors regulated by the OUR receive sound and effective regulatory interventions. The Office ensures good fiscal responsibility, internal controls, risk management, and general compliance with statutory obligations. The OUR’s statutory duties are regulatory, adjudicatory and advisory in nature.

2.1.1 Primary Statutory Responsibilities

The OUR’s main responsibilities are set out in the OUR Act and certain additional legislation (the “Additional Legislation”), including regulatory responsibilities under the Telecommunications Act, Electricity Act (2015), and the Electricity Licence, 2016, among others.

2.1.1.1 Regulatory

Under various provisions of the OUR Act and Additional Legislation, the Office receives, processes licence applications, and makes recommendations to the Ministers for the regulated sectors, (hereafter referred to as the “Portfolio Ministers”) for the grant. The Office may develop and enforce regulations and conditions, including but not limited to:

- a) Rates, tariffs and other charges for the provision of utility services;
- b) Standards, Codes, quality of service targets, and terms and conditions for supplying utility services and equipment;
- c) Contract terms and conditions;
- d) External audits and investigations; and,
- e) System beneficial and cost recovery funds.

2.1.1.2 Adjudicatory

During the course of regulating the utilities and sectors for which it is accountable, the OUR at times acts in a quasi-judicial role or as an arbiter with respect to:

- a) Disputes between Licensees, and Licensees and applicants for utility supply;
- b) Compensation and damage payment claims;
- c) Inspection and testing of utility services, equipment, and measuring devices; and
- d) Determining and taking enforcement actions.

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2.1.1.3 Advisory

The OUR also acts in an advisory capacity to support the Portfolio Ministries, Licensees and other stakeholders. Specifically, the Office conducts research necessary or desirable for the purposes of the performance of its functions and advises the Portfolio Ministers on matters relating to the prescribed utilities as it thinks fit or as requested by the Portfolio Ministers (OUR Act Sec 4 c & d).

Such research and advice include the preparation of studies and reports, consultations with the Portfolio Minister and other stakeholders, and reviews and comments on materials produced by the Portfolio Ministry or other stakeholders.

In addition, the Office is authorised to undertake such measures as it considers necessary or desirable to encourage competition, protect the interests of consumers, encourage the development and use of indigenous resources, promote and encourage the development of modern and efficient utility services, and enquire into the nature and the extent of the prescribed utility services provided by a licensee or specified organisation (OUR Act, Sec 4 (3)).

2.1.2 Organisational Responsibilities

The Office operates within the Corporate Governance Framework for Public Bodies and observes good corporate governance practices. In so doing, the Office, among other things:

- (a) Provides strategic leadership, oversight and guidance to management, ensuring that planning and decision-making consider both opportunities and risks to the OUR, the regulated sectors, and the nation.
- (b) Plays an active role in developing and setting the organisation’s strategic goals, corporate financial objectives, and financial and capital plans through its Corporate Business Plan and Budget and approving them.
- (c) Monitors the OUR’s performance to ensure effective strategy execution and achievement of objectives.
- (d) Reviews with management, the regulatory environment, the emergence of new risks and opportunities and their implications on the provision and delivery of utility services.
- (e) Establishes policies to ensure that OUR meets and maintains all statutory requirements and obligations.
- (f) Facilitates discussions and approval of regulatory decisions, financial operations, policy issues, corporate governance principles and all other matters relating to the effective and efficient operations of the OUR.

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- (g) Ensures that adequate and effective policies and systems are in place to monitor financial reporting and internal control processes, and to establish a reliable framework for continuously identifying, prioritising, controlling, and mitigating relevant risks.

2.2 Accountability

The OUR is required to make all of its decisions and recommendations in the public interest and is accountable to Parliament. Transparency is fundamental to good governance, and the Office takes the OUR’s commitment to constructive stakeholder engagement and clear and comprehensive disclosure and reporting seriously. To achieve this, the Office has defined the expectations and scope of duties of the Office, its committees and management.

The Office also meets its accountability requirements by annually providing to Parliament, through the Responsible Minister, an Annual Report of the OUR’s activities for the preceding year, an annual statement of accounts, and an independent auditor’s report. A four-year Corporate Plan and Budget are also submitted to the Ministry of Finance and Public Service (MoFPs) on 31 December for the four-year period beginning on 1 April of the next fiscal year.

2.3 Office Composition and Skills

In accordance with the provisions of the Fourth Schedule of the OUR Act, the Office consists of seven members, all appointed by the Governor-General. Six (6) members are directly appointed: four (4) based on the recommendation of the Prime Minister after consultation with the Leader of the Opposition; one (1) on the recommendation of the Private Sector Organisation of Jamaica (“PSOJ”); one (1) on the recommendation of a group representing the interests of consumers; and the Director- General (“DG”), appointed on the recommendation of the Prime Minister, serves as an *ex-officio* member.

The Fourth Schedule of the OUR Act recognises the need for the Office to reflect a fair mix of diversity in knowledge, skills and expertise consistent with the mandate and business operations of the OUR. The competency profile identifies the areas of industry, finance, economics, engineering, accountancy, commerce, or law that would facilitate objectivity in decision-making and effective oversight of the OUR.

All Office members are highly competent individuals with proven experience and expertise across the identified range of disciplines.

There are six (6) Committees of the Office to provide oversight for specific functions within the OUR:

- Finance and Budget
- Audit & Risk
- HR and Compensation

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- Legal Affairs
- Information Technology
- Technical

3 GENERAL DUTIES OF THE OFFICE MEMBERS

The general duties owed by Office members to the OUR concerning the way they carry out their duties and functions. Such duties include:

- Acting honestly and in good faith in the best interest of OUR and the public interest
- Acting within the OUR’s statutory powers and relevant policy considerations.
- Exercising powers for proper purposes: powers should not be exercised for a collateral purpose other than the purpose for which they were conferred.
- Exercising independent judgment
- Exercising reasonable care, skill and diligence that a reasonably prudent person would exercise in comparable circumstances, including but not limited to the general knowledge, skill and experience of the Member.
- Avoiding conflicts of interest
- Refusing benefits from third parties
- Declaring any interest when dealing with matters

4 ROLE OF MEMBERS, OFFICE MEETINGS AND RIGHTS OF MEMBERS

The OUR Act provides for the Governor-General, on the recommendation of the Prime Minister after consultation with the Leader of the Opposition, to designate a Chairperson (the “Office Chair”) and a Deputy Chairperson (the “Deputy Office Chair”).

4.1 Office Chair

4.1.1 Role

Under the OUR Act, the Office Chair presides over Office meetings and has a casting vote. As a member, the Office Chair participates in the Office’s decision-making and recommendation processes.

4.1.2 Accountability

The Office Chair is accountable for his or her performance to the Responsible Minister. The Governor-General may, at any time, revoke the Office Chair’s appointment on the

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recommendation of the Responsible Minister after consultation with the Leader of the Opposition for the reasons set out in paragraph 2(2) of the Fourth Schedule of the OUR Act.

4.1.3 Duties and Responsibilities

The Office Chair has the following responsibilities:

- a) Presides over the work of the Office during Office Meetings and has a casting vote.
- b) Ensures compliance with the OUR Act and all other applicable legislation.
- c) Participates in the Office’s decision-making processes.
- d) Approves the schedule of the date, time and location of Office meetings.
- e) Sets the agenda for Office meetings.
- f) Chairs Office meetings so that they are conducted in an efficient, effective and focused manner.
- g) Has joint responsibility with the Secretary to the Office (STTO) to review the potential conflicts of interest for each Agenda item during Office meetings.
- h) Builds consensus and develops teamwork within the Office.
- i) Supports and mentors Office members as required.
- j) Provides leadership in coordinating the Office’s activities and fosters cordial relationships among Office members, between Office members and staff, and may call special meetings as needed.
- k) Develops a productive working relationship with the Director-General, providing support and advice, while respecting executive responsibility.
- l) Fosters relationships based on trust, mutual respect and open communication between Office members and the executive team.
- m) Leading the annual Office evaluation, along with the support of STTO as appropriate, and acting on the results.
- n) Conducting the performance evaluation of the DG.

4.2 Deputy Office Chair

4.2.1 Role

The Deputy Office Chair, in addition to serving as a member, supports the Office Chair in the leadership of the OUR and assists the Office Chair in carrying out his or her functions and duties. The Deputy Office Chair assumes the role of Office Chair when the Office Chair is absent.

4.2.2 Accountability

The Governor-General may, at any time, revoke the appointment of any appointed member of the Office on the recommendation of the appropriate person and for the reasons set out in paragraph 2(2) of the Fourth Schedule of the OUR Act.

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4.2.3 Duties and Responsibilities

The Deputy Office Chair has the following responsibilities:

- a) Exercises the Office Chair’s powers and responsibilities, should the office of the Office Chair become vacant or if the Office Chair is absent or unable to act for any reason; and,
- b) Works closely with the Office Chair to manage the OUR’s business.
- c) Undertakes any other responsibilities as requested by the Office Chair.

4.3 Director-General

4.3.1 Appointment

The DG is an *ex-officio* member of the Office and is appointed by the Governor-General. The tenure of appointment is between three and seven years, with eligibility for reappointment.

4.3.2 Recruitment, Selection and Appointment Process

The DG is designated by the Governor-General on the recommendation of the Prime Minister from among persons who are qualified as having had experience of and shown capacity in matters related to industry, finance, economics, engineering, accountancy, commerce, or law. The DG cannot be the holder of any office of emolument under the Crown in Jamaica or hold or be interested in any stock, share, bond, debenture, or other security of, or is otherwise interested in, any specified organisation or any other company which is in competition with, or provides similar services to those supplied by a specified organisation. This requirement bars the DG from holding another paid government office or having any financial interest (whether directly or indirectly through a competing business) in the organisations that the Office regulates.

4.3.3 Role

The DG, in addition to serving as a member, is responsible to the Office for the general management and administration of the Office as well as any other functions delegated to the DG by the Office.

4.3.4 Accountability

The DG is accountable for his or her performance to the Office and the Responsible Ministers. The Governor-General may, at any time, revoke the appointment of the DG on the recommendation of the Prime Minister on grounds of neglect of duty, inefficiency, incompetence, misconduct or malfeasance.

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4.3.5 Duties and Responsibilities

The DG has the following responsibilities:

- a) Supports the Chair by ensuring that appropriate governance standards permeate all parts of the organisation.
- b) Leads the general management and administration of the OUR, through the Deputy Directors-General and the Heads of Departments.
- c) Proposes strategy through the OUR business plan to the Office, and delivers on its implementation as agreed.
- d) Ensures that the Office knows the DG’s views on issues to improve the quality of discussion in Office meetings and, prior to a final decision on the issue, explains in a balanced way any divergence of views.
- e) Ensures that the Office is made aware, when appropriate, of employees' views on issues relevant to the OUR’s business.
- f) Leads the development of practices and procedures to promote the efficient and effective functioning of the OUR Staff.
- g) Fosters OUR values throughout the organisation.

4.4 Office Members

4.4.1 Role, Duties and Responsibilities

Office members discharge their responsibilities under the OUR Act and the Additional Legislation through independent but related roles as follows:

- a) Regulatory: As part of the Office, members contribute to regulatory decisions and oversight of the regulated sectors and prescribed utility service providers.
- b) Advisory: As part of the Office, members make recommendations to the relevant Portfolio Minister on issues related to the prescribed utility services.
- c) Research: As part of the Office, members investigate and review matters related to the prescribed utility services, or at the request of the Portfolio Minister.
- d) Organisational: As part of the Office, and in collaboration with the Executive Management, Members set strategic priorities of the OUR and oversee OUR operations.

Members have the following duties and responsibilities:

- a) Attend Office meetings in person, by telephone, or via electronic means, and actively participate.
- b) Provide strategic guidance, offer specialist advice based on unique skills and experience, offer constructive challenges, and hold management to account.
- c) Scrutinise and hold to account the performance of management and the Executive against agreed performance objectives.

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- d) Through participation in the committees of the Office, ensure that appropriate governance standards permeate throughout the organisation.
- e) Monitor potential conflicts of interest he or she may have regarding matters before the Office.
- f) Define the roles of committees and the development and approval of Terms of Reference.
- g) Participate in the Committees of the Office.
- h) Participate in Office, Members and Committees evaluations.

4.4.2 Accountability

The Governor-General may, at any time, revoke the appointment of any appointed member of the Office on the recommendation of the appropriate person as set out in paragraph 2(3) of the Fourth Schedule of the OUR Act and for the reasons set out at paragraph 2(2) thereof.

4.5 Secretary to the Office

4.5.1 Role

The corporate governance role of the Secretary to the Office (STTO) is to oversee decision-making processes, ensure compliance with internal and external procedures, and ensure the organisation operates effectively and efficiently. STTO is the interface between the Office and its internal and external stakeholders. STTO ensures that matters before the Office are dealt with expeditiously.

4.5.2 Duties and Responsibilities

- a) Scheduling Office meetings, preparing draft agendas for approval, providing guidance on Office paper content, ensuring good and timely information flows within the Office and its committees and between senior management, executives and the Office.
- b) Recording Office decisions clearly and accurately, pursuing follow-up actions and reporting on matters arising.
- c) Liaising between Office members, executives and senior management on logistics for Office and Office committee meetings, training sessions, Office retreats, Office evaluation sessions and other Office events.
- d) Planning and organising Office member induction programmes which provide a full, formal and tailored introduction to the Office and the business of the OUR.
- e) Planning and organising Office member professional development programmes to refresh the members' skills and knowledge.

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- f) Developing a proactive relationship with Office members, providing a source of information and advice, and acting as the primary point of contact.
- g) Supporting the process for the Office to undertake a formal annual evaluation of its own performance and that of its committees and individual members.
- h) Ensuring that the necessary disclosures on corporate governance and the workings of the Office and its committees are included in the annual report.
- i) Communicating all Office decisions to the relevant Member of the management team.

4.6 Office Remuneration and Tenure

4.6.1 Tenure Resignation and Revocation

The Member is appointed for an initial tenure of five years, subject to the provisions for revocation of appointment and is eligible for reappointment.

An appointed member of the Office may, at any time, resign by instrument in writing addressed to the Governor-General and copied to the persons set out in paragraph 3(1) of the Fourth Schedule of the OUR Act and from the date of the receipt by the Governor-General of such instrument, the Member shall cease to be a member of the Office.

4.6.2 Remuneration

The Office members’ compensation is limited to such remuneration (whether by way of honoraria or fees) and such allowances as determined by the Ministry responsible for public service.

4.7 Office Meeting Attendance

Unless a member is unavailable due to OUR responsibilities or illness, Members are expected to attend all scheduled Office meetings. Members may attend meetings in person, by telephone or by electronic means, including but not limited to video conference. Attendance at meetings by Members shall be recorded.

Any member of the Office may be requested to recuse himself or herself from a meeting of the Office where it is deemed appropriate.

Attendance by Non-Members

The Chair, DG, and Committee Chairs are permitted to invite staff of the OUR, as well as external advisors and experts, to attend Office meetings and/or Committee meetings when deemed

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appropriate to support decision-making in furtherance of the functions of the OUR. Attendance at meetings by non-members shall also be recorded.

The admission of persons other than Office members, DG, STTO, the Executive and other invited staff members to the Office meeting in the session shall be by prior agreement.

4.8 Office Meeting Quorum

A quorum of the Office is four (4) members. The Office Chair shall preside over the meeting. If the Office Chair is absent, the Deputy Office Chair will preside as acting Office Chair for the meeting.

4.9 Voting Rights

Office members shall endeavour to pass or adopt resolutions unanimously. However, Members are encouraged to voice dissenting opinions when unanimity cannot be reached, and these are to be recorded in the minutes.

Decisions will be determined by ordinary resolution, requiring a simple majority vote of the Members present to carry. Ordinary resolutions may also be adopted by written resolution, provided they receive the approval of a majority of the Members eligible to vote. In the event of a tie in votes, the Office Chair (or the Deputy Office Chair in his absence) shall have a second or casting vote.

4.10 Round Robin Resolution

In the event that an urgent decision is required before the next scheduled Office meeting, on request from the DG or Committee Chair, STTO may seek the permission of the Chair to use round robin to be circulated to all Office members for comment and/or voting.

Upon the Chairman’s agreement, STTO will circulate the Office submission or information prepared by the relevant officer, as requested for Round Robin Resolution via electronic means to all Members, with a request that the matter be considered and that Members respond via electronic means to STTO. A simple majority of all Members is required to carry and pass the resolution. The outcome is provided to the Members via email, and the relevant officer is advised to proceed in accordance with the decision.

If the Round Robin Resolution is carried, it is presented for adoption and ratification of the decision at the next following Office meeting.

A Member who objects to any resolution adopted by the Office shall have such objection recorded in the minutes.

If the vote is not carried, this does not preclude the resubmission of the matter for consideration at the next following Office meeting.

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4.11 Independent Professional Assistance

Members and/or Committees of the Office may seek independent professional advice where it is deemed essential for fulfilling their duties as members. Members/Committees should obtain prior approval from the Office. Additionally, any advice obtained should be made available to the Office.

4.12 Member Orientation and Professional Development

4.12.1 Member Orientation

New Office members are required to participate in a comprehensive Orientation Programme immediately after being appointed to the Office. The STTO, with the assistance of qualified Staff, is responsible for the administration of the Orientation Programme for new members.

4.12.2 Professional Development

The Office is committed to ongoing professional development for Members. This may involve regular training and development initiatives to cover areas pertinent to OUR’s operations, including regulatory and industry developments, leadership and corporate governance, among other critical areas.

5 COMMITTEES

The Office may appoint committees from among its Members or co-opt persons with the requisite skill and experience relevant to the OUR to perform the duties of a committee. The Office shall establish or may amend the terms of reference for each Committee. The Office shall approve the terms of reference of any Committee. Each Committee's terms of reference shall specify the Committee's role and responsibilities, its composition, and the manner in which it should perform its duties.

A Committee shall only perform its functions in accordance with its terms of reference and may not exceed the authority and powers of the Office as a whole. The Office remains collectively responsible for the decisions and actions taken by any Committee. Recommendations of Committees are subject to the Office's approval process.

Each Committee Chair must promptly inform the Office of its activities at scheduled Office meetings. Each Member has unrestricted access to all Committee meetings (except the Audit & Risk Committee) and records (except matters relating to an identified conflict of interest).

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6 CODE OF ETHICS AND BUSINESS CONDUCT, CONFLICTS OF INTEREST

The Office has established a Code of Ethics and Business Conduct that binds Office members to the highest standards of integrity and ethics in their professional conduct regarding the execution of their duties, in observance of good principles and applicable legislation. The Code outlines the fundamental values and principles that define the standard of decision-making expected from the Members. Each Member must sign a copy of the Code, affirming their commitment to its provisions, and reconfirm their agreement annually.

Breach of this Code may result in revocation of appointment if a member is found to be guilty of misconduct or malfeasance pursuant to the Fourth Schedule of the Office of Utilities Regulation Act and any other applicable legislation.

6.1 Standards of Professional Conduct

6.1.1 Fundamental Responsibility

Members must uphold integrity and leadership, acting in the public interest while adhering to legal and ethical standards. They must comply with all relevant laws, exercise their authority appropriately, and make fair, well-informed decisions. Additionally, they should remain mindful of their role in relation to the Cabinet and the portfolio minister concerning the OUR.

6.1.2 Confidentiality and Use of Information

Members must maintain strict confidentiality regarding information obtained through their duties and must not use it for personal gain. Disclosure is only permitted when required by law, necessary for official responsibilities, or explicitly authorised. Members must also comply with the OUR's Records and Information Management Policy on information security and retention.

6.1.3 Use of Assets

Members must use the organisation's assets only for their intended and proper use, and not for the furtherance of any private interest. Further, Members have a duty to protect, through oversight, the organisation's assets, and to oversee their efficient and proper use.

6.1.4 Engagement in Activities Outside of the Office

Members may engage in paid and uncompensated or voluntary activities outside the Office, provided the employment or service does not create a conflict of interest, and that the engagement in such outside activities does not cast doubt on their capacity to decide impartially on any issue that may come before the Office.

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6.1.5 Criminal Conviction

The integrity of the Office relies on the integrity of its Members. A criminal conviction may disqualify a Member from their duties. Any Member convicted or placed on probation for an imprisonable offence must report it to the Chair or Deputy Chair. Until a decision is made, they will be recused from Office decisions. Such information must be kept confidential, with records retained only if relevant to the Member’s duties.

6.1.6 Gifts and Benefits

Members must not knowingly act in any way that might reasonably create an impression or suspicion among the public that they may be engaged in conduct that violates the public trust. As such, Office members must not accept any gifts, benefits, or favours that could place them under an actual, potential, or perceived obligation to organisations that may be affected by Office decisions, because of their position with the Office. Office members should not accept any gifts from any person, company, or organisation that is regulated by, does business with, or whose interests are otherwise affected by the Office.

Members must use judgment to determine the materiality of a gift and ensure it does not compromise or appear to compromise their position. If in doubt, members should decline the gift. Gifts exceeding a nominal value from entities affected by an Office decision must be submitted to the STTO for recording and disposal.

6.2 Interests

Members and their close family must avoid any appearance of influencing the Office’s decisions for personal gain. Conflicts of interest may arise from personal, professional, or financial relationships. The Office has the authority to determine and manage actual, perceived, or potential conflicts through declarations and recusals.

6.2.1 Partisan Political Activities

Members are prohibited from seeking election to the House of Representatives or selection to the Senate or Parish Councils. They must not engage in direct partisan political activities, nor publicly speak or publish on partisan matters. Additionally, they should avoid any political involvement that could compromise their objectivity and ability to make fair, reasonable, and appropriate decisions.

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6.2.2 Disclosure of Interests in OUR-Regulated Sectors

Members must not directly control shares, securities, or financial interests in companies regulated by the OUR. They must disclose any such interests held by themselves, their spouses, partners, dependent children, business associates, or close relatives to the Secretary to the Office. Additionally, Members must declare any positions or financial interests in entities that could be materially affected by Office decisions. These disclosures must be recorded in the Office Member Disclosure of Interests Form, maintained in a register by the STTO, and reported to the Cabinet Secretary.

6.2.3 Other Involvement with OUR-Regulated Sectors

A conflict is likely to arise should a Member:

- (i) join the board of companies in OUR-regulated sectors;
- (ii) join advisory boards of companies in OUR-regulated sectors;
- (iii) take up employment with a company in OUR-regulated sectors;
- (iv) join any other body, organisation, charity or group with a clear connection with the OUR-regulated sector (except as provided for by legislation).

If a Member plans to take on any of these roles, they should, in the first instance, refer them to STTO, who will discuss with the Member and the Chair, whether such engagement is acceptable.

6.2.4 Managing Conflicts

Members must declare any private interests that could affect Office discussions or decisions. This includes financial interests, material benefits, employment of close family members, and personal friendships beyond mere acquaintances. If unsure, Members should disclose the connection for assessment by the Office.

Disclosures should be made as soon as possible, and general declarations of impartiality are included in the agenda for all Office meetings. If a Member is found to have a conflict of interest in any matter under consideration, the Office will collectively decide on the appropriate course of action. Possible actions include:

- a) Prohibiting the conflicted Member from participating in any discussion of said matter, from receiving any related documents or materials, and from voting on the matter in question. In this case, the conflicted Member will not be counted for the purpose of establishing a quorum for any vote on the matter in question.

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- b) Allowing the conflicted Member to participate in any discussion of said matter and to receive any related documents or materials, but prohibiting the conflicted Member from voting on the matter in question. In this case, the conflicted Member will not be counted for the purpose of establishing a quorum for any vote on the matter in question.
- c) Allowing the conflicted Member to fully participate in any discussion of said matter, to receive any related documents or materials, and to vote without restriction.
- d) A Member may also voluntarily recuse themselves. If conflicts arise so frequently that they impair a Member’s ability to function effectively, they must either divest the conflicting interest or resign from the Office.

6.2.5 Register of Interests

The Office maintains a register of Members’ interests, updated annually to ensure accuracy. Upon appointment, Members must declare any political, public office, board, consultancy, financial, or charitable interests held by themselves, their spouse, partner, or dependent children. Members must also sign an annual declaration confirming that they have no conflicts of interest. If their interests change between annual updates, they must promptly notify the Office for the register to be updated.

6.2.6 Office Committees

Office Committee Chairs must facilitate the disclosure of any interests that could pose a perceived, actual, or potential conflict of interest. If a conflict is identified, the Chair or Deputy Chair will apply relevant provisions as needed. All conflict-of-interest matters must be reported to the Office.

7 OFFICE DECISIONS AND MINUTES

7.1 Meetings and Agenda

Office meetings are presided over by the Chair and, in his absence, by the Deputy Chair. The Office convenes Office meetings on a monthly basis at the established date and time agreed, as well as at other necessary intervals, to address all matters requiring the Office to fulfil its regulatory and organisational responsibilities under the OUR Act and Additional Legislation. Notice of Office Regulatory Meetings is given in advance of the meeting.

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In the case of a special meeting of the Office, the notice, date and time of the meeting are as agreed by members.

STTO initiates a Draft Agenda comprising an impartiality declaration, matters specifically reserved for Office Decision, required reports, statutory and other corporate matters, recommendations for consideration emanating from Office Committee meetings, and matters arising from previous minutes.

The Draft Agenda is sent to the Office Chair for approval at least three (3) business days before the Office Meeting. Accompanying material to support Agenda items should be uploaded to the Office Portal by STTO three (3) days prior to the Office Meeting.

7.2 Office Decisions

The Office fulfils its role through both decision-making and oversight. Its decision-making function involves working with management to develop and approve regulatory decisions, corporate policies, and strategic and financial objectives. In all its decision-making, the Office remains guided by statutory limitations, industry obligations, regulatory requirements, and best practices.

- a) With respect to its non-regulatory decision-making, the Office follows established meeting and decision-making procedures.
- b) With respect to regulatory decision-making, the Office is bound by the statutory mandate contained in the OUR Act and the Additional Legislation. Specific decision-making procedures (such as for the five-year review of electricity tariffs) are set out in detail within the OUR Operations Manual.

7.3 Office Minutes

- a) The minutes of every Office Meeting (including special meetings) shall be recorded by STTO and submitted to the Chair in draft for approval. Upon approval, the STTO shall circulate the minutes to the members of the Office.
- b) A member who objects to any decision adopted by the Office shall have his or her objection recorded in the minutes.
- c) All resolutions approved by Round Robin, when ratified, shall be recorded in the minutes of the next regular Office meeting.
- d) The minutes of the Office meeting must be confirmed by the Members, then signed by the Chair of the meeting and STTO, and added to the Office's record.

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8 OFFICE AND COMMITTEE EVALUATION

The Office shall perform an annual evaluation of its performance in keeping with the Government of Jamaica’s Corporate Governance Framework for Public Bodies. The evaluation shall be guided by the instrument developed by the Ministry responsible for the public service for assessing the Boards of public bodies in Jamaica.

The evaluation will be organised and assisted by the STTO, with external resources utilised to conduct it.

9 COMMUNICATION WITH STAKEHOLDERS

The Office’s external communication policies and procedures aim to ensure that the Office speaks with one voice and that any external communication does not give an impression of undue influence or favouritism. This requires clear and transparent processes to:

- a) Communicate the regulator’s operations and decisions
- b) Manage formal and informal meetings with stakeholders
- c) Guide Staff and Members on what they should or should not discuss with external stakeholders.

10 EXTERNAL TRANSPARENCY

The Office, in collaboration with and/or under the guidance of the Audit [and Risk] and the Finance & Budget Committees, supervises compliance with the preparation and publication of the annual report and accounts, as well as any other financial information.

The Office, through the Audit [and Risk] Committee, also supervises the internal control and audit mechanism for external financial reporting. The Office shall carefully consider and, if accepted, implement any recommendations made by the external auditor in the management letter.

The OUR's Annual Reports, including audited financial statements from previous years, shall be published on its website. The Annual Report also includes a section on Corporate Governance and Disclosures, which covers details on the number of Office meetings, Members’ information, Office Committees, and other related information.

The OUR also shares information on relevant issues within its remit through its website, press releases, and other communication channels as needed.

11 REVIEW OF CHARTER

The Charter may be amended as deemed necessary by a simple majority vote of the Office.

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12 CONCLUSION

The provisions in this document are consistent with the regulatory requirements of the Government of Jamaica’s Corporate Governance Framework for Public Bodies and all applicable legislation.

13 APPROVAL AND ADOPTION

This Charter was approved by the Office on 2026 March 23 and is effective from that date.

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OUR Board Charter - 2026 April 21 - version 1

Final Audit Report

2026-06-01

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