



Government of the Republic of Trinidad and Tobago

Freedom of Information Act Chap 22:02

ANNUAL REPORT TO PARLIAMENT

2013



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EXECUTIVE SUMMARY

The Freedom of Information Act Chapter 22:02 (“FOIA”) gives members of the public the legal right to request access to information in the possession of public authorities, subject to certain and limited exemptions.

Pursuant to **section 40 (1)** of the FOIA, the Minister with responsibility for information is required to present an annual report to Parliament giving an account of the operations of the FOIA. The summary of the operation of the FOIA in accordance with section 40(3) is included in Table 1 below.

Table 1: Summary of information required under section 40 of the Freedom of Information Act

Activity	Number/Remarks
1. Number of requests made to public authorities	818
2. Number of decisions that an applicant was not entitled to access to a document pursuant to a request, the provisions of this Act under which these decisions were made and the number of times each provision was invoked.	106 <i>(Ref. 5.3)</i>
3. Number of applications for judicial review of decisions under the Freedom of Information Act and the outcome of those applications.	10 <i>(Ref. 5.4)</i>
4. Number of complaints made to the Ombudsman with respect to the operation of the FOIA and the nature of those complaints.	26 <i>See Appendix IV</i>
5. Number of notices served upon each public authority under section 10 (1) and the number of decisions by the public authority which were adverse to the person’s claim.	None
6. Particulars of any disciplinary action taken against any officer in respect of the administration of this Act.	None
7. The amount of charges collected by each public authority under this Act.	None
8. Particulars of any reading room or other facility provided by each public authority for use by applicants or members of the public, and the publications, documents, or other information regularly on display in that reading room or other facility [section 7(1)(viii)]	16 <i>See Appendix V</i>
9. Any other facts which indicate an effort by public authorities to administer and implement the spirit and intention of this Act.	None

1.0 INTRODUCTION

The Freedom of Information Act Chap 22:02 arose out of the principles of the Harare Declaration¹ that was signed by the Commonwealth Heads of Government in 1995². One of the principles states “... *the individual’s inalienable right to participate by means of free democratic political processes in framing the society in which he or she lives*” and “*the protection of promotion ... just and honest government*”.

The FOIA affords members of the public:

- (i) the legal right to request access to information that is held by public authorities and other bodies which exercise public functions;
- (ii) the right to scrutinize the actions of Government, by which means there is a measure of accountability; and
- (iii) access to information, thus allowing the public to engage in social dialogue and participate in the Government’s decision making and policies.

This Freedom of Information report for 2013 is the Eleventh Report prepared under **Section 40 (1)** of the FOIA.

Section 40 (1) of the FOIA mandates that “*The Minister shall as soon as practicable after the end of each year, prepare a report on the operation of this Act during the year and cause a copy of the report to be laid before each House of Parliament*”.

This report provides information about public access to official government documents of public authorities with exceptions.

The Annual Report is sub-divided into the following sections:

- 2.0 Legal Framework
- 3.0 Administration of the Freedom of Information Act
- 4.0 Monitoring of the Freedom of Information Act
- 5.0 Statistical Analysis, *inter alia*:
 - the number of requests made to public authorities;

¹ Commonwealth Heads of Government Meeting in Harare, Zimbabwe 1991

² The affirmation of the Harare Declaration was done in Millbrook, New Zealand (at the Commonwealth Heads of Government Meeting in Auckland) where a firm commitment was made to fulfill the Declaration and as such the Commonwealth Heads of Government agreed to the Millbrook Commonwealth Action Programme.

- the number of decisions that an applicant was not entitled to access a document;
- the number of judicial review applications and their outcomes; and
- the number of complaints to the Ombudsman and the nature of those complaints.

2.0 LEGAL FRAMEWORK

The Freedom of Information Act Chap 22:02 (FOIA) was passed by an Act of Parliament No 26 of 1999³. It gives members of the public a general right (with exceptions) to request access to official documents in public authorities. The FOIA is made up of five parts:

- Part I deals with the Preliminaries which became operational on November 20, 2000;
- Part II deals with Publication of Certain Documents and Information which was operationalized on April 30, 2001; and
- Parts (III-V) deals with Right of Access to Information, Exempt Documents and Miscellaneous and came into force on August 30, 2001.

Section 7 of the FOIA mandates annual publication (in the Gazette and in a daily newspaper) of information held by public authorities, namely, a statement setting out the particulars of the organization and functions; a statement of categories of documents maintained in its possession; statements of material prepared for inspection by members of the public; the procedure to be followed by a person when a request for access to a document is made; a statement listing all boards, councils, committees and other bodies established for the purpose of advising the public authority and details of whether the authority maintains a library or reading room and what materials are available.

Section 15 of the FOIA prescribes a thirty-calendar day period for an official response when an official request is made. While **Section 23** mandates that if a public authority refuses access to the information requested, they must provide reasons for such denial and must inform the Applicant of their right to approach the Ombudsman (**Section 38A**) or apply to the High Court for judicial review (**Section 39**).

The FOIA, carries a presumption of disclosure, as it crystallizes the public's right to access information. However, such right is not absolute and **Part IV** of the FOIA lists the following documents which are regarded as exempt documents:

- Cabinet documents
- International Relations documents
- Law enforcement
- Defence and security documents

³ Amended by Act 92 of 2000 and Act 14 of 2003

- Internal Working documents
- Documents affecting legal proceedings
- Trade Secret documents
- Materials obtained in confidence
- Documents where secrecy provisions apply
- Documents affecting personal privacy
- Documents affecting the economy and commercial affairs

Section 35 of the FOIA allows for the disclosure of an exempt document in the public interest as per Part IV of the FOIA. The grounds a public authority must consider are:

- where there is abuse of authority or neglect in performance of official duty;
- injustice to an individual;
- danger to the health or safety of an individual or of the public; and
- unauthorized use of public funds

The FOIA also provides for certain public authorities to be exempted from its provisions (**Section 5**). The following public authorities have received exemption orders:

1. First Citizens Bank Group⁴ which includes:
 - a. First Citizens Holdings Limited
 - b. First Citizens Bank
 - c. First Citizens Corporate Services Limited
 - d. First Citizens Bank Mortgage and Trust Company Limited
2. Trinidad and Tobago Unit Trust Corporation⁵
3. Export-Import Bank⁶
4. Agricultural Development Bank⁷
5. Trinidad and Tobago Mortgage Finance Company Limited⁸

⁴ Legal Notice 21/2003 Freedom of Information (Exemption) Order

⁵ Legal Notice 21/2003 Freedom of Information (Exemption) Order

⁶ Legal Notice 21/2003 Freedom of Information (Exemption) Order

⁷ Legal Notice 21/2003 Freedom of Information (Exemption) Order

⁸ Legal Notice 21/2003 Freedom of Information (Exemption) Order

6. Taurus Services Limited⁹
7. Business Development Company Limited¹⁰
8. National Entrepreneurship Development Company Limited¹¹
9. National Enterprises Limited¹²
10. Central Bank of Trinidad and Tobago¹³
11. Integrity Commission of Trinidad and Tobago¹⁴

⁹ Legal Notice 21/2003 Freedom of Information (Exemption) Order

¹⁰ Legal Notice 21/2003 Freedom of Information (Exemption) Order

¹¹ Legal Notice 21/2003 Freedom of Information (Exemption) Order

¹² Legal Notice 21/2003 Freedom of Information (Exemption) Order

¹³ Legal Notice 76/2004 Freedom of Information (Exemption) (No.2) Order

¹⁴ Legal Notice 131/2005 Freedom of Information (Exemption) (No.3) Order

3.0 ADMINISTRATION OF THE FREEDOM OF INFORMATION ACT

3.1 *The Freedom of Information Unit*

The Freedom of Information Unit (“Unit”) was established in 2001 to monitor, advise, train and report on the statutory compliance of public authorities in accordance with the Freedom of Information Act Chapter 22:02.

In 2013, the Unit functioned under the Office of the Prime Minister until September 6th, 2013 when the communications portfolio was aligned to the Ministry of Communications.

The organisational structure of the Unit (Figure 1) allows for the employment of nine (9) members of staff. The positions of Executive Director and Senior FOI Officer- Client Relations and Training, were not filled since the establishment of the Unit. Consequently, the Unit continued to operate with 3 members of staff: 2 officers in Client Relations and Training and 1 officer in Research.

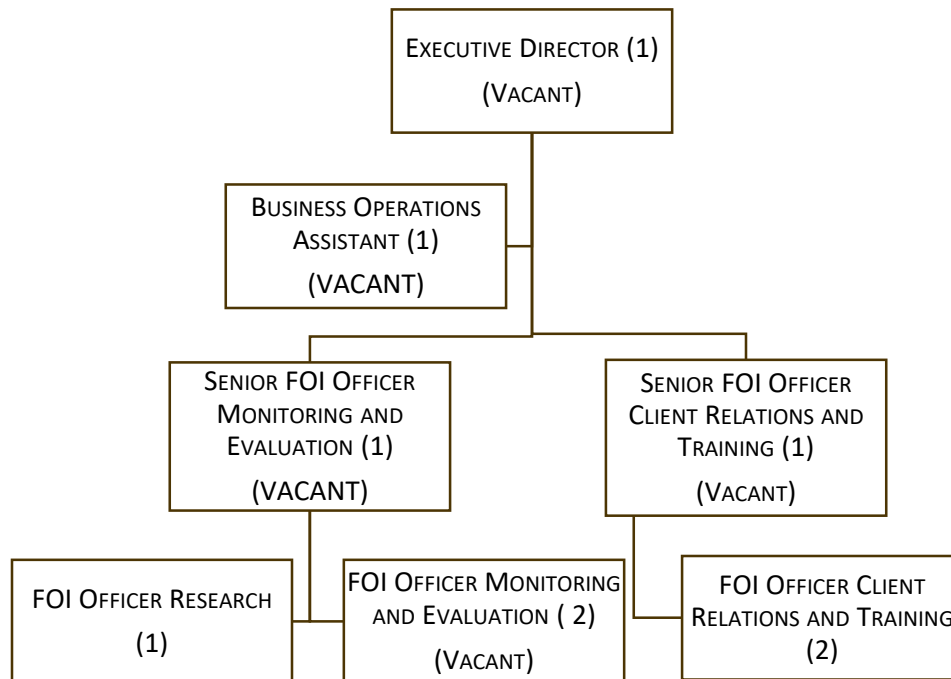


Figure 1: Organizational Structure of the Unit

The 3 core functional areas within the Unit are:

- i. Client Relations and Training – ensuring that all public authorities are aware of their responsibilities under the Act through sensitization and training. Assisting members of the public in their requests for information;
- ii. Monitoring and Evaluation – the operations of the Act and making recommendations to ensure that the objectives of the Act are met; and
- iii. Research – to maintain an awareness of recent developments and trends in the area of Freedom of Information.

3.2 Training Sessions conducted by the Freedom of Information Unit

During the period January to December 2013, the Unit engaged in several training workshops regarding the Freedom of Information Act. Approximately 179 public officers from 22 public authorities received training and/or sensitization regarding the Act. Appendix I provides a detailed listing of the public authorities that received training in 2013.

3.3 Community and Stakeholder Engagement

The Unit also plays a key role in educating and sensitizing the public on their rights to access information through public outreach campaigns. In this regard, 1 community/public engagement was held at the National Patriotism Fair via the Ministry of National Diversity and Social Integration. 32 members of the public were informed about the legislation and its benefits at this public engagement.

4.0 MONITORING OF THE FREEDOM OF INFORMATION ACT

4.1 Quarterly Returns

Pursuant to **sections 40(2), 40(3) (a)–(i)** of the FOIA, public authorities must furnish the Minister with information as required for the preparation of the annual report to be laid before each House of the Parliament. The relevant information is submitted by the public authorities to the Unit by way of quarterly returns.

Approximately 219 public authorities had a legal obligation to submit FOI statements and returns. **Appendix II** highlights the public authorities which did not submit any quarterly returns in 2013.

Of this, 32 or 15% of public authorities submitted quarterly returns, which were used to prepare this Annual Report. This represents a decrease of 6% in the number of quarterly submissions by public authorities when compared to 34 which made submissions in 2012.

Figure 2 below illustrates the submission of quarterly returns by type of public authority.

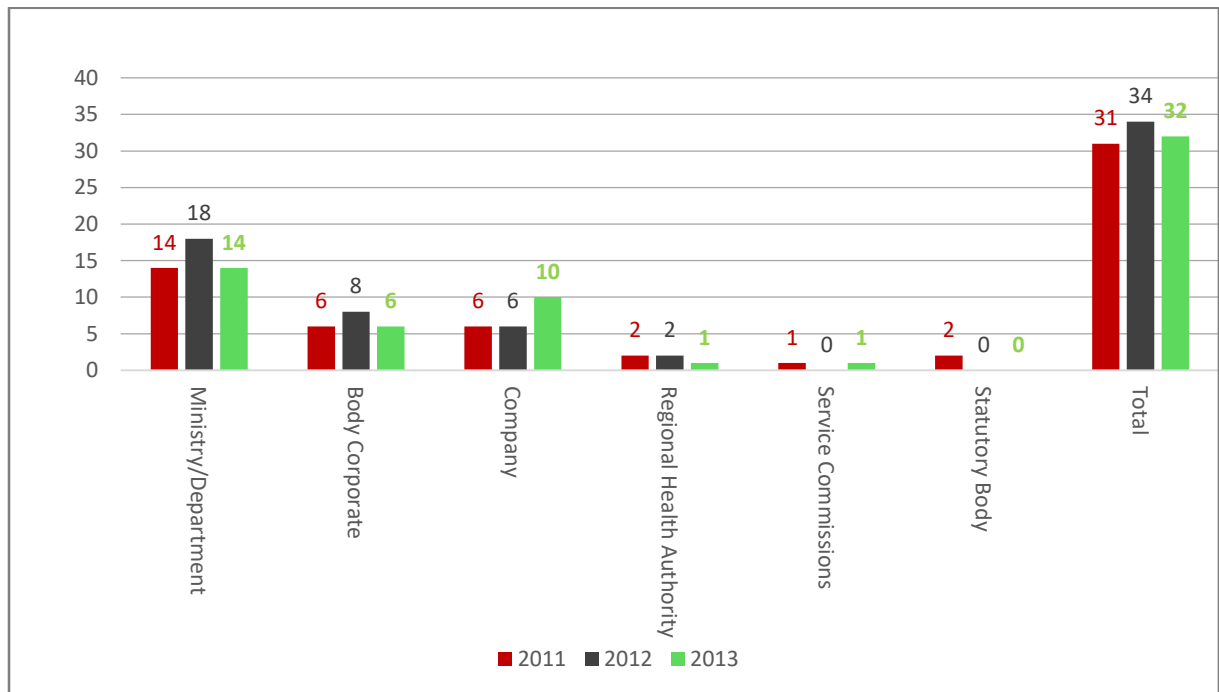


Figure 2: Quarterly Return submissions by Public Authorities for 2011-2013

Ministries/Departments recorded the highest number of submissions (14) in 2013, followed by Companies (10) and thereafter Body Corporates (6). They also recorded the highest number of submissions relative to other public authorities with an average of 15 submissions over the period

2011-2013. Submissions by both Body Corporates and Companies averaged 7 over the three-year period.

A closer examination of the data for the three-year period (2011-2013) showed an average submission rate of 32 quarterly returns annually. The number of submissions by all public authorities, with the exception of Companies, either decreased or remained the same over the period (2011-2013).

4.2 Publication of Annual Statements

Pursuant to **sections 7 to 9** of the FOIA, public authorities are required to publish an annual public statement in the Gazette and a daily newspaper. The annual statement contains the organisational structure of the public authority; the operations of the organization; listing of the reading room and the name of the designated and alternate freedom of information officer.

17 public authorities published annual statements via the Gazette during the year. Table 2 highlights the public authorities which published their annual statements in 2013.

Table 2: Publication of Public Statements by Public Authorities in the Gazette – 2013

Public Authorities	Reference - Gazette
1.Ministry of Gender, Youth and Child Development	Gazette No.2, Vol.52, pp 10-13 , 4 January, 2013
2. Regulated Industries Commission (RIC)	Gazette No.11, Vol.52, pp 57-67, 18 January, 2013
3.Trinidad and Tobago Police Service	Gazette No.13, Vol.52, pp 108-111, 25 January, 2013
4.Office of Disaster Preparedness and Management	Gazette No.13, Vol.52, pp 112-114, 25 January, 2013
5.Ministry of National Security – General Administration	Gazette No.13, Vol.52, pp 115-117, 25 January, 2013
6.Trinidad and Tobago Fire Service	Gazette No.13, Vol.52, pp 118-120, 25 January, 2013
7.Ministry of National Security – Immigration Division	Gazette No.13, Vol.52, pp 121-125, 25 January, 2013
8.Trinidad and Tobago Defence Force	Gazette No.13, Vol.52, pp 126-127, 25 January, 2013

Public Authorities	Reference - Gazette
9. Service Commissions Department	Gazette No.35, Vol.52, pp 494-496, 12 March, 2013
10. Ministry of Foreign Affairs	Gazette No.37, Vol.52, pp 516-523, 18 March, 2013
11. Ministry of Local Government	Gazette No.70, Vol.52, pp 891-894, 23 May, 2013
12. Ministry of Public Utilities	Gazette No.71, Vol.52, pp 898-908, 27 May, 2013
13. Office of the Prime Minister	Gazette No.94, Vol.52, pp 1085-1096, 23 July, 2013
14. Ministry of People and Social Development	Gazette No.119, Vol.52, pp 1293-1304, 12 September, 2013
15. National Information and Communication Technology Company Limited (iGovTT)	Gazette No.146, Vol.52, pp 1597-1601, 8 November, 2013
16. Electrical Inspectorate Division	Gazette No.157, Vol.52, pp 1694 - 1705, 10 December, 2013
17. The Rural Development Company of Trinidad and Tobago	Gazette No.160, Vol.52, pp 1729-1735, 1 December, 2013

5.0 STATISTICAL ANALYSIS

This section provides an analysis of the information required by the FOIA under **section 40(3)**.

5.1 Number of Requests made for the year 2013

In 2013, a total of 1553 requests required determination as follows:

- Requests brought forward from previous year(s) - 739
- New requests received from 32 public authorities - 818
- Request withdrawn - 4

Of this total, 640 requests were finalized (see Section 5.3)

The Service Commissions Department recorded the highest number of new requests with 612 requests, followed by the Ministry of National Security which had 48 requests and Ministry of Education with 47 requests. The most requested documents from the Service Commissions Department were Personal Records. The listing of the various organizations and the number of requests received are found in **Appendix III**.

Figure 3 provides a breakdown of the requests received by public authorities in 2013.

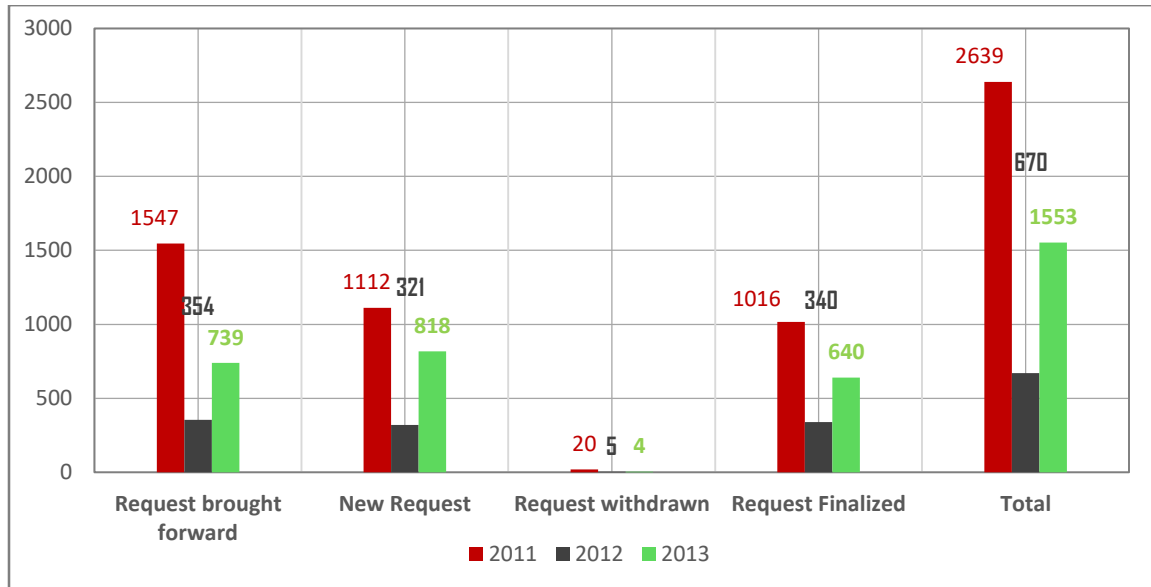


Figure 3: Number of Requests received by Public Authorities

5.2 Categories of Requested Information

Personal Records totalling 747 were the most requested documents in 2013 and accounted for 65% of the total documents requested.

Figure 4 provides a complete breakdown of the categories of information requested for the period 2011- 2013.

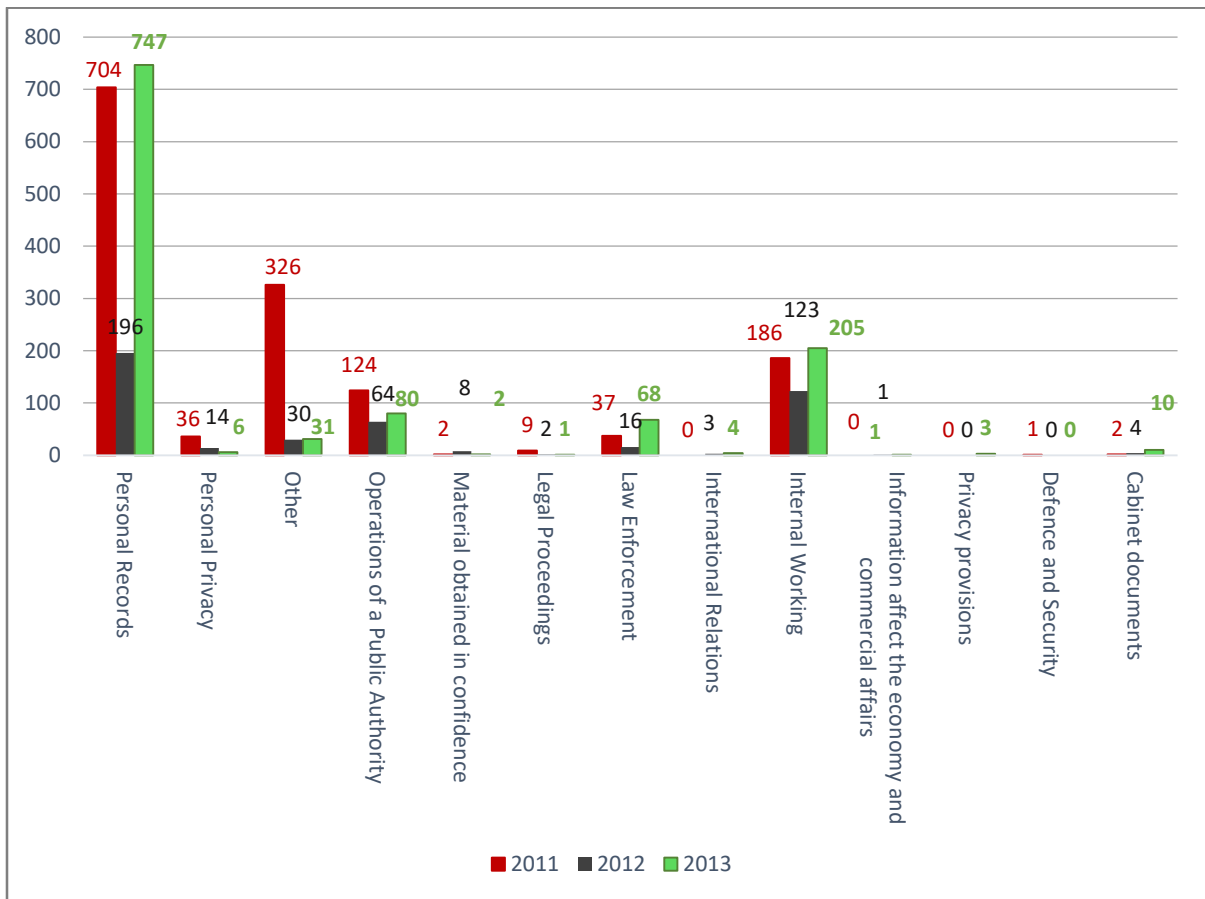


Figure 4: Information requested under the FOIA by Category (documents)

Figure 4 reveals that in 2013 there was an increase in the demand for documents related to Law Enforcement (37 in 2011 compared to 68 in 2013), Internal Working Documents (186 in 2011 compared to 205 in 2013) and Cabinet Documents (2 in 2011 compared to 10 in 2013).

The most requested documents by applicants over the three-year period were Personal Records and Internal Working Documents. In addition, requests for all other categories of documents were negligible.

5.3 Action taken on Freedom of Information Requests

Request to access for information or documents may be:

- (i) Granted in full - 478 (75%) of all the information requested was given to the applicant.
- (ii) Granted in part – applicant received access to 49 (8%) of some of the information requested.
- (iii) Deferred - 7 (1%) of the request was deferred as it satisfies Section 19 (1) where the information requested is currently being prepared-
 - a. for presentation to Parliament
 - b. for release to the media
- (iv) Refused - 106 (16%) of the request was refused as the document requested fell under Part IV of the FOIA, with exemptions.

In 2013, approximately 640 requests were finalized.

Figure 5 shows the action taken on requests over the period 2011- 2013. Throughout the period, public authorities have been answering requests for information fully, the highest number of requests (873) granted in their entirety occurred in 2011.

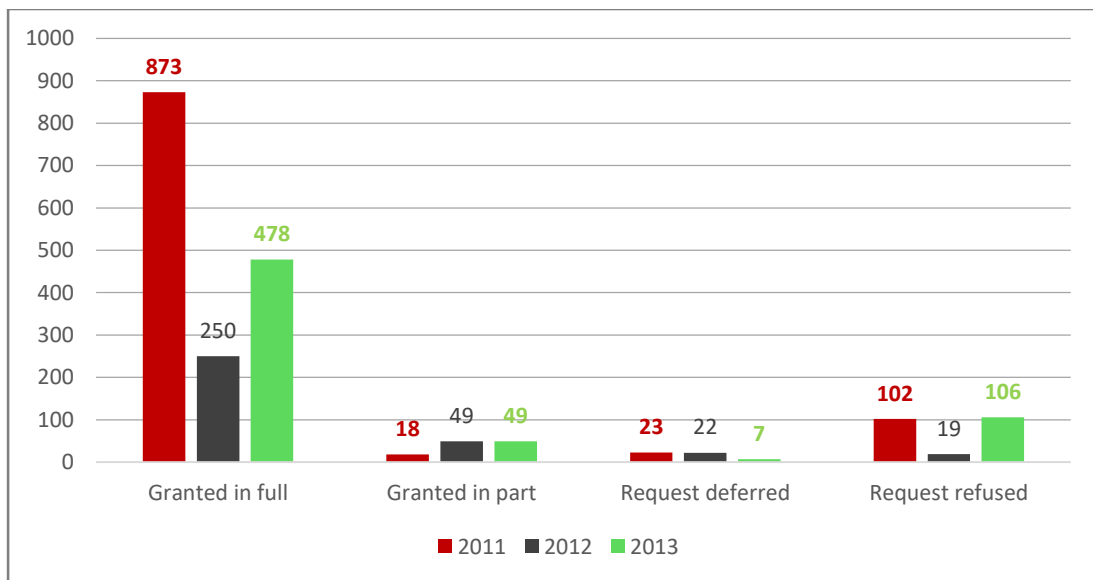


Figure 5: Action taken on FOI Requests

5.4 Judicial Review

Pursuant to **Section 39** of the FOIA, a person aggrieved by a decision of a public authority under the FOIA may apply to the High Court for judicial review of the decision. It should be noted that an applicant whose request for information has been denied, must be informed of his/her right to apply

to the High Court for judicial review of the decision and the time within which the application for review is required to be made.

For the year 2013, 10 matters were filed to the High Court for judicial review compared to 12 in 2012, or a decrease of 17%.

5.5 Complaints made to the Office of the Ombudsman

Any applicant who is aggrieved by the refusal of a public authority to grant access to an official document is entitled to approach the Ombudsman for redress. It is noteworthy that the Ombudsman's role is merely advisory and as such a public authority is not compelled to change its decision in relation to an application under the FOIA.

During the period under review, the Office of the Ombudsman received 26 complaints from aggrieved applicants. This compares to 21 in 2012, representing an increase of 24%. The Ombudsman liaised successfully with public authorities to ensure that the matters raised by the aggrieved applicants were treated with in keeping with the statutory obligations under the FOIA. (See **Appendix IV**).

5.6 Other Matters

For the year 2013, an examination of the submitted quarterly returns by the Public Authorities revealed the following:

- No notices were served upon any public authority under section 10 (1) and no decisions rendered by the public authority which were averse to a person's claim;
- No Disciplinary action was taken against an officer in the administration of the FOIA;
- No Charges were collected under the FOIA;
- No acts were submitted by any authority to demonstrate an intention to administer and implement the spirit and intention of the FOIA.

5.7 Reading Room

Section 7(1)(viii) of the FOIA mandates that a Public Authority in its published annual statement indicates whether they maintain a reading room for the public and lists what is available for public consumption and times of operation.

Appendix V lists the particulars of any reading room or other facility provided by 16 public authorities for use by applicants or members of the public and lists their publications that are regularly on display.

APPENDICES

Appendix I: Freedom of Information Training Sessions held in 2013

PUBLIC AUTHORITY/ ORGANISATIONS	ADDRESS/VENUE	DATE	NO. OF PERSONS TRAINED
1. Ministry of Gender Youth and Child Development	Level 20, Tower D, International Waterfront Complex, 1 Wrightson Road.	June 12, 2013	17
2. In-house Group Training Session with 6 Public authorities:	Office of the Prime Minister, Level 5 Nicholas Tower, Independence Square, Port of Spain.	January 12, 2013	13
<ul style="list-style-type: none"> i. The Office of the Attorney General ii. Ministry of Energy and Energy Affairs iii. Ministry of the Environment and Water Resources iv. Ministry of Food Production v. Ministry of Justice vi. Ministry of Public Administration 			
3. The Children’s Authority	Corner Dere Street and, Queen's Park West, Port of Spain.	June 28, 2013	16
4. In-house Group Training Session with 8 Public authorities:	Office of the Prime Minister, Level 5 Nicholas Tower, Independence Square, Port of Spain.	August 14, 2013	16
<ul style="list-style-type: none"> i. Cipriani College of Labour and Co-Operative Studies ii. Ministry of Education iii. Inland Revenue Division iv. Ministry of Labour and Small and Micro Enterprise Development v. Ministry of Legal Affairs 			

PUBLIC AUTHORITY/ ORGANISATIONS	ADDRESS/VENUE	DATE	NO. OF PERSONS TRAINED
vi. Ministry of Planning and Sustainable Development- Town and Planning Division vii. Ministry of Science and Technology viii. Ministry of Works and Transport			
5. The Accreditation Council of Trinidad and Tobago	Pan American Life Plaza, 91-93 St. Vincent Street, Port of Spain	August 27, 2013	12
6. Equal Opportunity Commission	Wrightson Road, Port of Spain	September 3, 2013	12
7. Office of Disaster Preparedness and Management	4A Orange Grove Road, Trincity, Tacarigua	November 1, 2013	17
8. Ministry of National Security (Head Office)	Temple Court, 31-33 Abercromby Street, Port of Spain	November 5,6 and 11, 2013	49
9. Ministry of Public Utilities	Tragarete Rd, Port of Spain	November 26-28, 2013	27
Total			179

Appendix II: Non-Compliant Public Authorities – Submission of Quarterly Return Forms¹⁵

- | | | |
|--|--|---|
| 1. Adoption Board | 19. Caribbean Leasing Company Ltd | 36. Creative TT |
| 2. Advisory Town Planning Panel | 20. Caribbean Microfinance Ltd | 37. Criminal Injuries Compensation Board |
| 3. Agricultural Society of Trinidad and Tobago | 21. Carnival Institute | 38. Criminal Justice System |
| 4. Air Transport Licensing Authority | 22. Caroni 1975 Ltd | 39. Defence Council |
| 5. Alutech Limited | 23. Central Authority | 40. Defence Force Commission Board |
| 6. Alutrint Limited | 24. Children’s Authority | 41. Dental council of Trinidad and Tobago |
| 7. Anti-Corruption Investigation Bureau | 25. Cipriani College of Labour and Cooperative Studies | 42. Development Company Limited |
| 8. Archaeological Committee | 26. Citizen Security Programme | 43. Diego Martin Regional Corporation |
| 9. Arima Borough Corporation | 27. Civilian Conservation Corps | 44. Div. Education, Research & Technology |
| 10. Betting Levy Board | 28. Cocoa Development Company of Trinidad and Tobago | 45. Div. Settlements, Public Utilities, Rural Development |
| 11. Board of Film Censors | 29. Colonial Life Insurance Company Ltd | 46. Drug Advisory Committee |
| 12. Board of Industrial Training | 30. Community Improvement Services Ltd | 47. East Port of Spain Development Company Ltd |
| 13. Boards Regulating and the Practice of Medicine and Related Professionals | 31. Community Based Environmental Protection and Enhancement Programme | 48. East Side Plaza |
| 14. Boilers Examiners Board | 32. COSTAATT | 49. Eastern Caribbean Institute of Agriculture and Forestry (ECIAF) |
| 15. Caribbean Agricultural Research and Development Institute | 33. Council for Innovation and Competitiveness | 50. Economic Development Board |
| 16. Caribbean Development Network Ltd | 34. Council of Legal Education | 51. Environmental Management Authority |
| 17. Caribbean Food Corporation | 35. Couva/Tabaquite/Talparo Regional Corporation | |

¹⁵ This list of non-compliant public authorities may include entities that are defunct.

- | | | |
|--|--|--|
| 52. Emergency Medical Personnel Council of Trinidad and Tobago | 73. Legal Aid and Advisory Authority | 92. National Infrastructure Development Company Limited |
| 53. Equal Opportunities Tribunal | 74. LIAT Limited | 93. National Insurance Appeals Tribunal |
| 54. Evolving Technologies and Enterprise Dev Co Ltd | 75. Livestock and Livestock Products Board | 94. National Insurance Board |
| 55. Export Centres Company Ltd | 76. Medical Council of Trinidad and Tobago | 95. National Insurance Property Development Company Ltd |
| 56. Export TT | 77. MIC Institute of Technology (MIC-IT) | 96. National Mentorship Programme |
| 57. Fair Trading commission | 78. Military-led Academic Training Programme | 97. National Museum and art Gallery |
| 58. Food Advisory Committee | 79. Minimum Wages Board | 98. National Operations Centre |
| 59. Friendly Societies | 80. NAPA Hotel | 99. National Population Council |
| 60. Green Fund Advisory Committee | 81. Naparima Bowl | 100. National Quarries Company Limited |
| 61. Housing Development Corporation Corporation (HDC) | 82. National Academy for the Performing Arts | 101. National Reforestation and Watershed Rehabilitation Programme |
| 62. Hugh Wooding Law School | 83. National Agro Chemical Ltd | 102. National Schools Dietary Services Limited |
| 63. Industrial Court | 84. National Association of Village and Community Councils | 103. National Steel Symphony Orchestra |
| 64. Infrastructure, Quarries & Urban Development | 85. National Broadcasting Network | 104. National Theatre Arts Company |
| 65. Intellectual Property | 86. National Carnival Commission | 105. National Training Agency |
| 66. Interdisciplinary Child Development Centre | 87. National Commission for Self Help | 106. National Cultural Commission |
| 67. INVESTT | 88. National Emergency Ambulance Service Authority | 107. NATPET Investment Company |
| 68. La Brea Industrial Development Corporation | 89. National Energy Corporation of Trinidad and Tobago | 108. NATSTAR Manufacturing Company Ltd |
| 69. Lake Asphalt of Trinidad and Tobago (1978) Limited | 90. National Energy Skills Centre (NESC) | 109. Phoenix Park Gas Processors Ltd |
| 70. Land Survey Board of Trinidad and Tobago | 91. National Flour Mills | |
| 71. Law Reform Commission | | |
| 72. Law Revision Commission | | |

110. Point Lisas Port Development Corporation Ltd	129. Office of Chief Parliamentary Counsel	148. St Jude`s School for Girls
111. Port-of-Spain City Corporation	130. Office of Disaster Preparedness and Management	149. St Michael`s School for Boys
112. Powergen	131. Office of Solicitor General	150. St. Dominic`s Home
113. Premier Services Ltd	132. Office of the Director of Public Prosecutions	151. St. Mary`s Home
114. Prices Council	133. Opticians Council of Trinidad and Tobago	152. Sugar Industry Labour Welfare Committee
115. Princes Town Regional Corporation	134. Penal/Debe Regional Corporation	153. Sugar Manufacturing Company Ltd
116. Princess Elizabeth Home for the Handicapped Children	135. Pesticides and Toxic Chemicals Board	154. Tax Appeal Board
117. Public Transport Service Corporation	136. Pharmacy Council of Trinidad and Tobago	155. Telecommunications Services of Trinidad and Tobago Ltd
118. Queens Hall	137. Registrar General	156. Tourism and Industrial Development Company
119. National Lotteries Control Board	138. Registration, Recognition, and Certification Board	157. Tourism Development Company of Trinidad and Tobago
120. National Helicopter Services Ltd	139. Rent Assessment Board	158. Transport Board
121. New City Mall	140. Rum Distillers Ltd	159. Trinidad and Tobago Anti-Doping Organization
122. NGC NGLM Company Ltd	141. San Fernando City Corporation	160. Trinidad and Tobago Association for Retarded Children
123. NGC TT NGL Ltd	142. San Juan/Laventille Regional Corporation	161. Trinidad and Tobago Association in Aid of Deaf
124. NIHERST	143. Seafoods Industry Development Company Ltd	162. Trinidad and Tobago Blind Welfare Association
125. North Central Regional Health Authority	144. Sentencing Commission	163. Trinidad and Tobago Bureau of Standards
126. Nurses and Midwives Council of Trinidad and Tobago	145. Siparia Regional Corporation	164. Trinidad and Tobago Cadet Force
127. Occupational Safety and Health Authority	146. Sport and Culture Board of Management	165. Trinidad and Tobago Civil Aviation Authority
128. Office of the Chief State Solicitor	147. Sport Company of Trinidad and Tobago	

166. Trinidad and Tobago Development Finance Ltd	172. Trinidad and Tobago Securities and Exchange Commission	181. Union Estate Electricity Generation Company Limited
167. Trinidad and Tobago Forensic Science Centre	173. Trinidad Nitrogen Company Ltd	182. University of the West Indies (UWI) –Open Campus
168. Trinidad and Tobago Forest Products Company	174. Trinidad Northern Areas Ltd	183. UTT
169. Trinidad and Tobago Hospitality and Tourism Institute	175. TRINMAR Ltd	184. Water and Sewerage Authority of Trinidad and Tobago
170. Trinidad and Tobago National Petroleum Marketing Company Limited	176. TRINTOC Services Ltd	185. Youth training Centre Board of Management
171. Trinidad and Tobago Racing Authority	177. TT Connect Service Centres	186. Youth Training Education Partnership Programme
	178. TT LNG	187. Zoological Society of Trinidad and Tobago
	179. TT Marine Petroleum Company Ltd	
	180. Tunapuna/Piarco Regional Corporation	

Appendix III: Number of Freedom of Information Requests received by Public Authorities for the Year 2013

Name of Public Authority	No. of Requests
Accreditation Council of Trinidad and Tobago	0*
Education Facilities Company Limited	3
Government Human Resource Services Company Limited	0*
Government Printery of Trinidad and Tobago	0*
Land Settlement Agency	0*
Ministry of Education	47
Ministry of Energy and Energy Affairs	5
Ministry of Food Production	4
Ministry of Gender, Youth and Child Development	5
Ministry of Labour and Small and Micro Enterprise	3
Ministry of National Security	48
Ministry of Planning and Sustainable Development	16
Ministry of Public Administration	4
Ministry of Tobago Development	0*
Ministry of Transport	0*
Ministry of Public Utilities	0*
National Gas Company of Trinidad and Tobago	2
Office of the Prime Minister	8
Palo Seco Agricultural Enterprises Limited	0*
Personnel Department	11
Petroleum Company of Trinidad and Tobago	6
Regulated Industries Commission	0*
Rural Development Company of Trinidad and Tobago Limited	0*
Service Commissions Department	612
Telecommunications Authority of Trinidad and Tobago	0*
The National Information and Communication Technology Company Limited	0*
The North West Regional Health Authority	26
The Vehicle Management Corporation of Trinidad and Tobago Limited	0*
Trinidad and Tobago Electricity Commission	16
Trinidad and Tobago Film Company	0*
Trinidad and Tobago Free Zones Company Limited	0*
Trinidad and Tobago Postal Corporation (TTPost)	2
TOTAL	818

* This denotes that quarterly returns were filed by the Public Authorities and no FOI requests were received for the year.

Appendix IV: Complaints to the Ombudsman

Public Authority	Reasons for the Complaint	Outcome
<p>1. North West Regional Health Authority (NWRHA)</p> <p>7 Jan 2013</p>	<p>The Applicant requested the Ombudsman’s assistance after she was informed by the Authority that the information relating to the status of her children who were born in 1968 and 1970 respectively was proving difficult to obtain.</p>	<p>The Ombudsman wrote to the General Manager, Legal and Corporate Affairs, NWRHA for an update on the matter, that is, if the Authority made any progress in obtaining the information requested by the Applicant.</p> <p>The Ombudsman was informed by the public authority that the requested records were not found. The matter is on-going.</p>
<p>2. Trinidad and Tobago Police Service</p> <p>7 Jan 2013</p>	<p>The Applicant requested the Ombudsman’s intervention in order to assist in the retrieval of documents from the Fraud Squad as the documents requested were relevant for a court matter.</p> <p>The Applicant made a request to the Fraud Squad but there was no response forthcoming.</p>	<p>The Ombudsman wrote to the Superintendent of the TTPS Fraud Squad with respect to Applicant’s request. The matter is on-going.</p>
<p>3. Tobago House of Assembly (THA)</p> <p>10 Jan 2013</p>	<p>The Applicant made two (2) requests which were submitted to THA. The Applicant did not indicate the information being sought but informed the Ombudsman that there was no response forthcoming from the THA.</p>	<p>The Ombudsman has no jurisdiction to proceed with a review in accordance with the provisions of the Freedom of Information Act (FOIA). The Applicant advised to commence</p>

Public Authority	Reasons for the Complaint	Outcome
		judicial review proceedings as stipulated under the FOIA. The Applicant advised accordingly.
<p>4. Trinidad and Tobago Film Company Limited</p> <p>Ministry of Trade and Industry</p> <p>8 Feb 2013</p>	<p>i. The Applicant was denied access to the following information –</p> <p>ii. A list of recipients of P.A.S.D grants from 2005 to 2012 and the name of the production or script.</p> <p>A list of all recipients of the Feature Film Programme and the name of the Production.</p> <p>iii. A list of the amount of funding granted to each of the above projects and the date of completion.</p>	<p>The Ombudsman reviewed the matter and made recommendations which were conveyed to the Permanent Secretary, Ministry of Trade and Industry. The Ombudsman recommended that the Applicant be granted access to the documents requested under items (i) and (ii) only. The Applicant was informed accordingly.</p>
<p>5. Ministry of National Security</p> <p>20 March 2013</p>	<p>The Ombudsman received from the Applicant a copy of a letter which was addressed to the Chairman, Police Service Commission as it pertained to his request under the Freedom of Information Act.</p>	<p>The Ombudsman has no jurisdiction to treat with the Applicant's matter. The Applicant's letter was only addressed to the Chairman, Public Service Commission.</p>
<p>6. Office of the Commissioner of Police (CoP)</p> <p>21 March 2013</p>	<p>The Applicant requested transcripts of promotion interviews, marks and comments conducted in February 2010 from the CoP but received no response from the Office.</p>	<p>The Ombudsman was informed by the Applicant that the decision of the Commissioner is outstanding. Consequently, the Ombudsman has no jurisdiction to proceed with a review as contemplated under the FOIA. The Applicant was informed to</p>

Public Authority	Reasons for the Complaint	Outcome
		commence judicial review proceedings. The Applicant was advised accordingly.
<p>7. Telecommunications Services of Trinidad and Tobago (TSTT)</p> <p>15 April 2013</p>	<p>The Applicant requested the following information:</p> <ul style="list-style-type: none"> i. The criteria/currently used by B-Mobile and/or TSTT to award contracts for “flagship” stores; ii. State whether TSTT has published a statement under and by virtue of section 7 of the FOIA, and if so, produce a copy of each and every publication; and iii. If such criteria have changed since the commencement of awarding “flagship” store contracts, please identify and state the nature and extent of such changes. 	<p>The Ombudsman reviewed the matter and disagreed with the decision made by the public authority that it was not a public authority under the provisions of the FOIA. The Ombudsman recommended that the public authority treat with the Applicant’s request. The Applicant was informed accordingly.</p>
<p>8. Service Commissions Department</p> <p>16 April 2013</p>	<p>The Applicant requested information from the public authority with respect to the appointment of an individual to the position of <i>Vault Attendant</i> in the Public Service.</p> <p>The Applicant did not receive a response from the public authority with respect to the request made.</p>	<p>The Ombudsman has no jurisdiction to proceed with a review under the Freedom of Information Act, Chap 22:02 as requested by the Applicant.</p> <p>The Applicant was informed accordingly.</p>
<p>9. Judiciary of Trinidad and Tobago</p> <p>24 Apr 2013</p>	<p>The Applicant requested a copy of the Analysis and Recommendations of the Terms and Conditions as a <i>Court Human Resource Officer</i> which</p>	<p>The Ombudsman reviewed the matter and agreed with the response given to the Applicant by the public</p>

Public Authority	Reasons for the Complaint	Outcome
	<p>was sent to the Judiciary in April 2011 and December 2012.</p> <p>The Applicant was informed by the public authority that it was unable to provide the information requested.</p>	<p>authority. The Applicant was advised accordingly.</p>
<p>10. Ministry of People and Social Development</p> <p>17 May 2013</p>	<p>The Applicant requested information from the public authority with respect to his application for a TT card. The Applicant did not receive a response from the public authority.</p>	<p>The Ombudsman has no jurisdiction to proceed with a review under the Freedom of Information Act, Chap 22:02 as requested by the Applicant. The Applicant was informed accordingly.</p>
<p>11. Customs and Excise Division</p> <p>28 May 2013</p>	<p>The Applicant requested copies of charge slips, statements, admissions of liability, information, judgment orders, imposition of penalties and directions relating to the arrest, charge and sentencing of his matter which was heard on the 17th March, 2013.</p> <p>The Applicant was denied access to the information requested.</p>	<p>The Ombudsman is liaising with the relevant public authority and is awaiting a response.</p>
<p>12. Princes Town Regional Corporation</p> <p>7 June 2013</p>	<p>The Applicant requested a copy of his pay sheet information for the year ending December 1977.</p> <p>The Applicant was informed by the Corporation that the information requested was unavailable.</p>	<p>The Ombudsman wrote to the Chief Executive Officer of the Corporation requesting to be informed as to the steps taken by the Corporation to obtain the information requested by the Applicant in accordance with section 23(1) of the FOIA. The Ombudsman is awaiting a response from the Corporation.</p>

Public Authority	Reasons for the Complaint	Outcome
13. Trinidad and Tobago Electricity Commission (T&TEC) 10 June 2013	<p>The Applicant requested a copy of a deed registered in the name of a third party which had been delivered to the T&TEC, Tobago Office. The applicant's request under the FOIA was denied.</p>	<p>The Ombudsman reviewed the matter and agreed with the response given by the public authority to the Applicant. The Applicant was informed accordingly.</p>
14. National Insurance Board 30 June 2013	<p>The Applicant requested a copy of the statement relating to his national insurance contribution and was informed by the public authority that it was not in possession of the document requested.</p>	<p>The Ombudsman wrote the public authority making certain enquiries concerning the Applicant's request. A response from the authority is still outstanding. The matter is pending.</p>
15. National Insurance Board 5 July 2013	<p>The Applicant requested a copy of the statement relating to his national insurance contributions. The Applicant did not receive a response from the authority.</p>	<p>The Ombudsman did not have jurisdiction to review since the Ombudsman could only review upon the receipt of a notice of refusal under section 23(1) of the FOIA. If no notice of its decision was given, the Ombudsman could not review the matter. The notice of refusal was outstanding and as such the Ombudsman could not intervene under the provisions of the FOIA. The Applicant was advised accordingly.</p>
16. Ministry of Education 16 Aug 2013	<p>The Applicant requested information concerning the date when cleaners ought to have been</p>	<p>The Ombudsman reviewed the matter and disagreed with the decision made by</p>

Public Authority	Reasons for the Complaint	Outcome
	assigned to the Princes Town Presbyterian School. The Applicant's request was denied.	the authority that the information requested was exempt under the provisions of the FOIA. The Ombudsman conveyed her recommendation to the public authority and is awaiting its response in the matter. The matter is pending.
17. Ministry of Housing 9 Sept 2013	The Applicant requested a copy of the minutes of the last twelve (12) meetings with reference to the distribution of houses and land. The Applicant's request was denied.	The Ombudsman reviewed the matter and agreed with the response given by the public authority. The Applicant was informed accordingly.
18. Ministry of Health 9 Sept 2013	The Applicant requested information relating to the construction of a soakaway situated at #71 Manahambre Road, Ste Madeleine.	The Applicant sought the Ombudsman's assistance prior to the 30-day deadline given to public authorities to respond under section 15 of the FOIA. The applicant was informed that since the thirty days had not yet expired the Ombudsman could not intervene in the matter. The Applicant was advised accordingly.
19. Petroleum Company of Trinidad and Tobago 23 Sept 2013	The Applicant requested a copy of all statements, notes, photographs and reports compiled by the company as they relate to the investigation of a matter involving the Applicant. The	The Ombudsman reviewed the matter and agreed with the response given by the public authority. The Applicant was informed accordingly.

Public Authority	Reasons for the Complaint	Outcome
	Applicant was denied access to the information requested.	
20. Ministry of Labour and Small and Micro Enterprise Development 27 Sept 2013	The Applicant requested information relating to the status of two (2) new positions within the organization, that is, the positions of <i>Assistant Commissioner and Training and Development Officer II</i> . The Applicant was not satisfied with the response given by the Ministry.	The Ombudsman reviewed the matter and agreed with the response given by the public authority. The Applicant was informed accordingly.
21. Ministry of Health 9 Oct 2013	The Applicant requested information from the public authority with respect to the construction of a soakaway at Manahambre Road, Ste. Madeline. The Applicant did not receive a response from the public authority with respect to the request made.	The Ombudsman has no jurisdiction to proceed with a review under the Freedom of Information Act, Chap 22:02 as requested by the Applicant. However, the complaint was treated under the Ombudsman's general jurisdiction as specified under the Constitution of Trinidad and Tobago, Chap 1:01. The Applicant was informed accordingly.
22. Eastern Regional Health Authority 22 Oct 2013	The Applicant requested information with respect to the tendering process relating to the delivery of laboratory equipment for laboratory services at the Hospital. The Applicant was denied access to the information requested.	The Ombudsman reviewed the matter and agreed with the decision of the public authority. The Applicant was informed accordingly.
23. Ministry of Planning and the Economy	The Applicant requested information with respect to the planning permission/approval of	The Ombudsman has no jurisdiction to proceed with a review under the Freedom

Public Authority	Reasons for the Complaint	Outcome
<p>18 Nov 2013</p>	<p>construction located at 127A Long Circular Road, Maraval. The Applicant did not receive a response from the public authority with respect to the request made.</p>	<p>of Information Act, Chap 22:02 as requested by the Applicant. However, the complaint was treated under the Ombudsman's general jurisdiction as specified under the Constitution of Trinidad and Tobago, Chap 1:01. The Applicant was informed accordingly.</p>
<p>24. Ministry of Education</p> <p>26 Nov 2013</p>	<p>The Applicant requested information relating to her increments for the period 2010 to 2013. Additionally, she requested other documents contained on her personal file written by principal, school supervisor or other school official. The Applicant was denied access to the information requested.</p>	<p>Ombudsman reviewed the matter and made recommendations which were conveyed to the Ministry. The Ombudsman is awaiting a response from the Ministry.</p>
<p>25. Trinidad and Tobago Housing Development Corporation</p> <p>28 Nov 2013</p>	<p>The Applicant was denied access to the following information requested name:</p> <ul style="list-style-type: none"> i. All contracts for in excess of \$100,000.00 approved by the Authority for the last calendar year. ii. The list of houses granted to applicants on the request or representation of each Member of Parliament within the last 5 years. iii. The listing of contracting companies and their principals 	<p>The Ombudsman reviewed the matter and the applicant was informed accordingly.</p>

Public Authority	Reasons for the Complaint	Outcome
	<p>who did defective work and all documents showing what steps were taken to recover within the last three years.</p>	
<p>26. Ministry of National Security</p> <p>11 Dec 2013</p>	<p>The Applicant was dissatisfied with the response given by the Ministry with respect to the request for access to the Financial Report and accounting for money provided towards activities in commemoration of 100th Anniversary of the Formation of the Trinidad and Tobago Cadet Force.</p>	<p>The Ombudsman reviewed the matter and agreed with the decision of the public authority.</p> <p>The Applicant was informed accordingly.</p>

Appendix V: Public Authorities Reading Room

Public Authority	Documents normally on Display in the Reading Room
<p>1. Personnel Department</p> <p>Level 3, ABMA Building, 55-57 St. Vincent Street, Port of Spain</p>	<ul style="list-style-type: none"> • No information was supplied
<p>2. Ministry of National Security</p> <p>Temple Court 2, Abercromby Street, Port of Spain</p> <p>Opening Hours: Monday to Friday 8:30am to 4:00pm</p>	<ul style="list-style-type: none"> • No information was supplied
<p>3. Land Settlement Agency</p> <p>Orange Grove Road, Tacarigua</p> <p>Opening Hours: Monday to Friday 8:00am to 4:00pm</p>	<ul style="list-style-type: none"> • No information was supplied
<p>4. Government Human Resource Services Company Limited</p> <p>Levels 2, 6 and 6A Saddle Road, Maraval</p>	<ul style="list-style-type: none"> • Government Human Resource Services Company Limited brochures and leaflets. • Human Resource and Business Magazines • Daily Newspaper
<p>5. Palo Seco Agricultural Enterprises Limited</p> <p>31-32 Casuarina Avenue,</p>	<ul style="list-style-type: none"> • No information was supplied

Public Authority	Documents normally on Display in the Reading Room
Point-a-Pierre.	
6. Trinidad and Tobago Film Company Limited 47 Long Circular Road, St. James	<ul style="list-style-type: none"> • Journals • Newspaper clippings • Books • Magazines • DVD's • Catalogues
7. Education Facilities Company Limited 2 nd Floor, Long Circular Place, Long Circular Road, Maraval	<ul style="list-style-type: none"> • Books • Journals • Newsletters
8. Ministry of Labour and Small and Micro Enterprise 5 th Floor, Duke Place, Port of Spain	<ul style="list-style-type: none"> • No information was supplied
9. Telecommunications Authority of Trinidad and Tobago #5, Eighth Avenue Extension, off Twelfth Street, Barataria	<ul style="list-style-type: none"> • Books • Journals • Newsletters
10. The National Gas Company of Trinidad and Tobago NGC Corporate Library, Administration Building, Point Lisas Opening Hours: Monday to Thursday	<ul style="list-style-type: none"> • No information was supplied

Public Authority	Documents normally on Display in the Reading Room
10:00am to 2:30pm	
<p>11. Trinidad and Tobago Electricity Commission</p> <p>Second Floor, Stanley Ottley Building, 7 Uriah Butler Highway North, Mt. Hope</p>	<ul style="list-style-type: none"> • Annual Report • Audited Financial Statements • Business Plan • Energy Sales and Peak Demand Forecast • Energy Sales • Peak Demand and Generation Statistics • Guidelines for Retroactive Billings • Code of Industrial Relations Practice • Industrial Procedures – Commercial • Training Policy • Environmental Policy • Employee Handbook • Code of Ethics • Consumer Tips • Industrial Relations Procedural Instructions • Safety Manual • Safety Rules, Prequalified Contractors • Wiring for Light and Power Booklet • T&TEC , RIC Standards and You • Towards a Better and Brighter Future – A Consumer Guide to T&TEC’s Application for a review on Tariffs • Advice to Kite Flyers • Consumption patterns of Appliances • Conserve Electricity • Holiday Safety • Prepare for Hurricane Safely • Guidelines on Food Care • Learn about Electricity

Public Authority	Documents normally on Display in the Reading Room
	<ul style="list-style-type: none"> • What to do during periods of load Shedding • Electrical Safety Tips • T&TEC Motor Protection Guide • How to Open a New Account • Welding Sets can Overload circuits at home and in your neighbourhood • T&TEC - the Nation's Sole Transmission and Distribution Utility • Disaster Preparedness – lightning • Disaster Preparedness – Earthquakes • Disaster Preparedness – Storms and Hurricanes • Watts Happening
<p>12. Regulated Industries Commission</p> <p>Corner Wrightson Road and Independence Square, Port of Spain</p>	<ul style="list-style-type: none"> • Books • Journals and Newsletters • Government Documents • Regulated Industries Commission Research Papers • Legislation – Regulated Industries Commission, Water and Sewerage Authority (WASA), Trinidad and Tobago Electricity Commission (T&TEC), Annual Reports • Resources on various aspects of Utility Regulation
<p>13. Ministry of Public Utilities</p> <p>2 Elizabeth Street, St. Clair</p> <p>Opening Hours: Monday to Friday 8:30am to 3:30pm</p>	<ul style="list-style-type: none"> • Copies of Legislation • Copies of Trinidad and Tobago Gazette • Public Sector Investment Programme documents • Policies of Agencies under the Ministry • Reports from Government Agencies • Administrative Reports of the Ministry • Legal Notices

Public Authority	Documents normally on Display in the Reading Room
	<ul style="list-style-type: none"> • Bills-House of Representatives and Senate • Hansard Reports relating to Debates in the Senate and House of Representative
<p>14. Ministry of Planning and Sustainable Development</p> <p>Level 6, Eric Williams Finance Building, Independence Square, Port of Spain</p> <p>Opening Hours: Monday to Friday 8:30am to 3:30pm</p>	<ul style="list-style-type: none"> • Copies of Legislation • Copies of Trinidad and Tobago Gazette • Public Sector Investment Programme documents • Policies of Agencies under the Ministry • Reports from Government Agencies • Administrative Reports of the Ministry • Legal Notices • Bills-House of Representatives and Senate • Hansard Reports relating to Debates in the Senate and House of Representative
<p>15. Ministry of Gender, Youth and Child Development</p>	<ul style="list-style-type: none"> • Brochures related to the Gender Affairs Division addressing Domestic Violence and Define Masculine Excellence • My Book of Rights-Child friendly edition of the Convention on the Rights of the Child • Youth Affairs Division pamphlets e.g. Volunteerism • Brochures from the National Family Services Division outlining contact information and services offered.
<p>16. Ministry of Energy and Energy Affairs</p> <p>Level 24, Tower C, International Waterfront Centre, 1A Wrightson Road, Port of Spain</p> <p>Maska Compound, South Trunk Road, La Romaine, San Fernando.</p>	<ul style="list-style-type: none"> • Newly acquired books relevant to the energy sector • Magazines (local and foreign) • Journals (local and foreign) relevant to the energy sector • Newspapers

Public Authority	Documents normally on Display in the Reading Room
Monday to Friday 8:00am to 4:00pm	