

# THIRD

REPORT  
FROM

THE PUBLIC ACCOUNTS  
COMMITTEE

EXAMINATION  
OF

Follow-up on the Implementation of the Recommendations made in the Twenty-Second Report of the Public Accounts Committee on the examination of the Audited Financial Statements of the Telecommunications Authority of Trinidad and Tobago for the Financial Years 2010 to 2016.

## Public Accounts Committee<sup>1</sup>

The Public Accounts Committee (PAC) established by the Constitution of the Republic of Trinidad and Tobago in accordance with Section 119(4) is mandated to consider and report to the House of Representatives on:

- “(a) appropriation accounts of moneys expended out of sums granted by Parliament to meet the public expenditure of Trinidad and Tobago;*  
*(b) such other accounts as may be referred to the Committee by the House of Representatives or as are authorized or required to be considered by the committee under any other enactment; and*  
*(c) the report of the Auditor General on any such accounts.”*

### Current membership

Mr. Davendranath Tancoo	Chairman
Ms. Jearlean John	Vice- Chairman
Mrs. Ayanna Webster-Roy	Member
Mr. Adrian Leonce	Member
Mrs. Paula Gopee-Scoon	Member
Mrs. Charrise Seepersad	Member
Mr. Roger Monroe	Member
Dr. Amery Browne <sup>2</sup>	Member

### Committee Staff

The current staff members serving the Committee are:

Ms. Keiba Jacob	Secretary to the Committee
Ms. Hema Bhagaloo	Assistant Secretary to the Committee
Mr. Justin Jarrette	Graduate Research Assistant
Ms. Natoya O’Neil	Clerk Typist I
Ms. Anesha James	Clerk Typist I
Mr. Liu Metivier	Parliamentary Intern

### Publication

An electronic copy of this report can be found on the Parliament website:

[http://www.ttparliament.org/committee\\_business.php?mid=19&id=230&pid=28](http://www.ttparliament.org/committee_business.php?mid=19&id=230&pid=28)

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**Date Laid in HOR: November 10, 2021**

**Date Laid in Senate: November 16, 2021**

<sup>1</sup> The PAC of the Twelfth Republican Parliament was established by resolutions of the House of Representatives and the Senate at sittings held on Monday November 09, 2020 and Tuesday November 17, 2020 respectively.

<sup>2</sup> Dr. Amery Browne was appointed in lieu of Mr. Randall Mitchell with effect from January 12, 2021.

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Members of the Public Accounts Committee  
TWELFTH PARLIAMENT, REPUBLIC OF TRINIDAD AND TOBAGO



Mr. Davendranath Tancoo  
**Chairman**



Ms. Jearlean John  
**Vice- Chairman**



Mrs. Ayanna Webster-Roy  
**Member**



Mrs. Paula Gopee-Scoon  
**Member**



Mrs. Charrise Seepersad  
**Member**



Mr. Adrian Leonce  
**Member**



Mr. Roger Monroe  
**Member**



Dr. Amery Browne  
**Member**

## Executive Summary

The Public Accounts Committee (PAC) is the Parliamentary Financial Oversight Committee tasked with the responsibility of examining the Report of the Auditor General and Audited Accounts of Statutory Authorities and Bodies. The Committee presents its Third Report of the Twelfth Parliament which details *the follow-up on the implementation of the recommendations made in the Twenty-Second Report of the PAC on an examination of the Audited Financial Statements of the Telecommunication Authority of Trinidad and Tobago (TATT) for the financial years 2010 to 2016* and produced this report to highlight its findings and recommendations.

This report sets out the issues endorsements and recommendations made by the Committee to improve TATT's performance.

### **During this follow-up inquiry, the following issues arose:**

- The Internal Audit function of the TATT;
- The TATT's Accounts Receivable;
- The provision of universal service;
- Project management
- The TATT's powers to secure providers' compliance;
- The delays in according use of the 700 MHz Spectrum;
- The CARICOM Single ICT Space;
- The TATT's commitments under the GATS Agreement;
- Collaboration between the TATT and educational institutions;
- The TATT's investment potential.

### **Based on the Committee's follow-up, the following recommendations were made:**

- While the case of the delinquent claimant's estate may be isolated, it highlights a shortcoming in the TATT's ability to effectively manage its debt portfolio and recover debts owed internationally. To this end, the TATT should conduct research into the feasibility of bolstering its debt recovery mechanisms.
- The measures implemented in France and the United States provide applicable examples of more robust and effective sanctions and regulatory policies for the oversight of their respective telecommunications sectors. To prevent future delinquency by service providers in Trinidad and Tobago, amendments to the legislative tools available to the TATT need to be made.
- While the public awareness campaign is an effective avenue to reach the persons with disabilities community, more can be done in the way of liaising directly with civil society groups (example- Blind Welfare Association or Consortium of Disability Organization) towards improving the overall engagement of the project.

**Based on the Committee's follow-up, the following recommendations were proposed<sup>3</sup>:**

- The TATT should report to Parliament on the progress and improvements made by its Internal Audit Department with regard to the training of staff to use the Internal Audit Department's TeamMate Software by January 31, 2022;
- The TATT should Report to Parliament on the following by January 31, 2022:
  - a. The progress made with respect to the recovery of its outstanding debts;
  - b. Any deferrals offered to debtors as a result of the Covid-19 Pandemic;
  - c. the progress made by TSTT in adopting new or more aggressive debt collection mechanisms particularly for foreign debtors; and
  - d. the specific action undertaken to reconcile the outstanding debt cited above as awarded by the courts in the United States.
- The TATT should provide a status update to Parliament on the progress of the Digital Inclusion Survey by January 31, 2022;
- The TATT should engage with local service providers to provide data on geographic mobile internet, voice/SMS and fixed line coverage and consolidate their responses in their Quarterly and Annual Market Updates for ease of public reference. A report on this should be submitted to Parliament by January 31, 2022;
- The TATT should conduct a feasibility assessment on the potential benefits and draw-backs of inviting a third service provider to Trinidad and Tobago and report to Parliament on its findings by January 31, 2022;
- The TATT should provide an update including any draft relevant legislative amendments to Parliament on new enforcement mechanisms implemented to address service provider compliance issues by January 31, 2022;
- The TATT should report to Parliament on the progress of the completion of its outstanding projects including their expected completion dates, no later than January 31, 2022;
- The TATT should provide Parliament with an update on the effectiveness of its public awareness campaign, to promote the PwD Project to the community of persons with disabilities by January 31, 2022;
- The TATT should report to the Parliament on issues and obstacles which confronted the entity regarding the management of its projects portfolio during the Covid-19 pandemic and including proposals for addressing same, no later than January 31, 2022;
- The TATT should provide Parliament with an update on the status of completion of its Spectrum Management Framework document and its efforts to modernize the regulatory framework for maritime services by January 31, 2022;
- The Ministry of Digital Transformation should provide Parliament with an update on the proposed amendments to the Telecommunications Act by November 30, 2021;
- The TATT should provide Parliament with a report explaining the reason for its noncompliance with the request by the Office of the Solicitor General for verification of facts. It should also

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<sup>3</sup> See Appendix 1 for 22<sup>nd</sup> Report recommendations.

include a clear policy to ensure that such noncompliance does not recur. This report should be submitted by January 31, 2022;

- The TATT should report to Parliament on any further measures to be implemented to extend its cooperation efforts to more tertiary level institutions by January 31, 2022;
- The TATT should collaborate with the Ministry of Education and the Ministry of Labour, towards the development of initiatives aimed at providing training and experience to prospective journalists and report its findings to Parliament, by January 31, 2022.

## Introduction

### Establishment

The PAC of the Twelfth Republican Parliament was established by resolution of the House of Representatives and the Senate at the sittings held on Monday November 09, 2020 and Tuesday November 17, 2020 respectively.

### Committee Mandate

The Constitution of the Republic of Trinidad and Tobago mandates that the Committee shall consider and report to the House appropriation accounts of moneys expended out of sums granted by Parliament to meet the public expenditure of Trinidad and Tobago and the report of the Auditor General on any such accounts.

In addition to the Committee's powers entrenched in the Constitution, Standing Orders 111 of the House of Representatives and 101 of the Senate also empower the Committee, inter alia, to:

- a) Send for persons, papers and records;
- b) Have meetings whether or not the House is sitting;
- c) Meet in various locations;
- d) Report from time to time; and
- e) Communicate with any other Committee on matters of common interest.

### Ministerial Response

The Standing Orders<sup>4</sup> provide for the Minister responsible for the Ministry or Body under review to submit within sixty (60) days a paper to the House responding to any recommendations or comments contained in the Report which are addressed to it.

### Election of the Chairman and Vice Chairman

In accordance with section 119(2) of the Constitution, the Chairman should be a member of the Opposition in the House. At the first meeting held on Wednesday November 18, 2020, Mr. Davendranath Tancoo was elected Chairman of the Committee. Ms. Jearlean John was elected Vice-Chairman of the Committee on November 18, 2020.

### Establishment of Quorum

The Committee is required by the Standing Orders to have a quorum so that any decisions made by the Members during the meetings can be considered valid. A quorum of three (3) Members, inclusive of the Chair or Vice-Chairman), with representatives from both Houses was agreed to by the Committee at its First Meeting.

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<sup>4</sup> Standing Order 110 (6) in the [House of Representatives](#) and 100(6) of the [Senate](#).



### **Determination of the Committee's Work Programme**

The Committee agreed to a work programme for the First Session of the Twelfth Parliament during its second meeting held on Wednesday December 2, 2020 as follows:

1. National Lotteries Control Board (NLCB) – follow-up;
2. National Insurance Board of Trinidad and Tobago (NIB);
3. Telecommunication Authority of Trinidad and Tobago (TATT) – follow-up;
4. Trinidad and Tobago Fair Trading Commission (TTFTC);
5. Caribbean Advanced Proficiency Examination (CAPE) Scholarship Programme (from the Report of the Auditor General on the Public Accounts of the Republic of Trinidad and Tobago for financial year 2019); and
6. Ministry of Energy and Energy Industries (MEEI) (Auditor General's Report - Revenue Collection) – follow-up.

## The Inquiry Process

The Inquiry Process outlines the steps taken by the Committee in its follow-up on the implementation of the recommendations in the Twenty-Second Report of the Public Accounts Committee on the Examination of the Audited Financial Statements of the Telecommunications Authority of Trinidad and Tobago for the financial years 2010 to 2016.

The Inquiry process included the following steps:

- I. Examination of Ministerial Response to 22<sup>nd</sup> Report of the Public Accounts Committee on the Examination of the Audited Financial Statements of the Telecommunications Authority of Trinidad and Tobago for the Financial years 2010 to 2016;
- II. Forwarded questions for additional information to the TATT on March 15, 2021 and received responses on April 8, 2021;
- III. Identification of issues in the responses to the follow- up on the implementation of the recommendations in the Twenty Second Report of the Public Accounts Committee on the examination of the Audited Financial Statements and Management Letters of the TATT for the financial years 2010 to 2016;
- IV. Report Committee's findings and recommendations to Parliament upon conclusion of the inquiry; and
- V. Carrying out further follow-up to monitor progress in the implementation of recommendations.

## Telecommunications Authority of Trinidad and Tobago (TATT) Profile<sup>5</sup>

### Background: Telecommunications Authority of Trinidad and Tobago

The Telecommunications Authority of Trinidad and Tobago (‘the Authority’) was established in July 2004 by the enactment of the Telecommunications Act 2001 Amended by 17 of 2004 as the independent regulatory body responsible for the transformation of the telecommunications sector from a virtual monopoly to a competitive environment.

The Authority is responsible not only for the liberalisation of the telecommunications sector, but also for regulating both telecommunications and broadcasting sectors, managing spectrum and number resources, establishing equipment and service quality standards, setting guidelines to prevent anti-competitive practices and encouraging investment in order to facilitate the availability of affordable telecommunications and broadcasting services to all.

The Authority is run by a Board of Directors consisting of a Chairman, a Deputy Chairman and nine other members as appointed by the President. The Board oversees the activities of the Authority and appoints a Chief Executive Officer who manages the affairs of the Authority subject to the directions of the Board.<sup>6</sup>

### Vision

Global exemplar, empowering people through ICT sector development.

### Mission

Fostering a competitive ICT environment using competent, fair, transparent, forward-thinking and responsive approaches for the benefit of all.

### Core Values

- Commitment
- Integrity
- Innovativeness
- Professionalism
- Service Excellence

### Members of the Board of Directors

Mr. Gilbert Peterson, S.C – Chairman  
Dr. Kim Mallalieu – Deputy Chairman  
Ms. Fatima Aziz-Mohammed

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<sup>6</sup>Trinidad and Tobago Telecommunications Authority, About TATT, accessed on July 27, 2021:  
<https://tatt.org.tt/AboutTATT.aspx>

Mr. Keyun Boatswain  
Mr. Rhondall Feeles

**Senior Management**

Mrs. Cynthia Reddock- Downes – Chief Executive Officer  
Ms. Cecily Jerome – Executive Officer, Finance and Accounting  
Mr. Dexter Boswell-Inniss- Manager, Networks, Standards and Facilities  
Ms. Cheryl Johnson – Manager, Communications  
Mr. Rajesh Ramoutar - Manager, Legal Affairs

**Minister of Digital Transformation:** Senator the Honourable Hassel Bacchus

**Accounting Officer:** Permanent Secretary – Mr. Claudelle McKellar

## Background: Auditor General

### Role and Function<sup>7</sup>

The Auditor General is required by law to examine and report annually to Parliament on the accounts of Ministries, Departments, Regional Health Authorities, Regional Corporations and such State Controlled Enterprises and Statutory Boards for which the Auditor General is the statutory auditor. The portfolio also includes the audit of:

- The accounts of projects funded partly or wholly by International Lending Agencies
- All pensions, gratuities and other separation benefits paid by the State in accordance with the Pensions Acts and other Agreements; and
- The grant of credit on the Exchequer Account in accordance with the requirements of section 18 of the Exchequer and Audit Act, chapter 69:01

The audit services take the form of financial audits, compliance audits and value for money audits intended to promote:

- Accountability
- Adherence to laws and regulations
- Economy, efficiency and effectiveness in the collection, disbursement and use of funds and other resources.

### Duties and Powers of the Auditor General<sup>8</sup>

The duties and powers of the Auditor General are defined in the Exchequer and Audit Act Chapter 69:01 of the laws of Trinidad and Tobago. Part III of the Exchequer and Audit Act specifies these duties listed here under:

7. The Auditor General shall not be capable while holding the said office of holding any other office of emolument in the service of the State.
8. (1) Save as is otherwise provided for in the Constitution the provisions of the law and regulations in force relating to the public service shall apply to the Auditor General.  
(2) Where the Auditor General is removed from office under the Constitution the Minister shall make a full statement of the reasons therefore at the first opportunity to Parliament.
9. (1) The Auditor General shall examine, inquire into and audit the accounts of all accounting officers and receivers of revenue and all persons entrusted with the assessment of, collection, receipt, custody, issue of payment of public moneys, or with the receipt, custody, issue, sale, transfer or delivery of any stamps, securities, stores or other State property.  
(2) The Auditor General shall satisfy himself that -

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<sup>7</sup> Auditor General's Department, *Appointment, Role and Function*, accessed July 28, 2021: <http://www.auditorgeneral.gov.tt/content/appointment-role-and-function>.

<sup>8</sup> Exchequer and Audit Act Chapter 69:01, accessed July 28, 2021: [http://rgd.legalaffairs.gov.tt/laws2/alphabetical\\_list/lawspdfs/69.01.pdf](http://rgd.legalaffairs.gov.tt/laws2/alphabetical_list/lawspdfs/69.01.pdf)

- a) all reasonable precautions have been taken to safeguard the collection of public moneys and that the laws, directions and instructions relating thereto have been duly observed;
- b) all issues and payments were made in accordance with proper authority and that all payments were properly chargeable and are supported by sufficient vouchers or proof of payment;
- c) all money expended has been applied to the purpose or purposes for which the same was granted by Parliament and that such expenditure conforms to the authority which governs it and has been incurred with due regard to the avoidance of waste and extravagance;
- d) essential records are maintained and the rules and procedures framed and applied are sufficient to safeguard the control of stores and other State property.

Auditor General: Ms. Lorelly Pujadas<sup>9</sup>

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<sup>9</sup> Auditor General's Department website, *Profile of the Auditor General*, <http://www.auditorgeneral.gov.tt/content/profile-auditor-general> accessed June 23, 2021.

## Issues and Recommendations

During the follow-up on the implementation of the recommendations made in the Twenty Second Report of the Public Accounts Committee on an examination of the Audited Financial Statements of the TATT for the financial years 2010 to 2016, the Committee identified the following issues, made the following observations and proposed the following recommendations:

### 1. Internal Audit

#### Inefficient Technical Support

**Training in the use of the TeamMate software is crucial for ensuring the continued enhancement of the capacity of the Internal Audit of the TATT.** While TATT has experienced improvements with respect to the standardisation of the operations of its Internal Audit, in part due to the incorporation of an external audit firm (KPMG), further training is required to ensure that staff are able to effectively utilize all of the Department's auditing tools. Through this training, the Department will be able to more effectively support the TATT in its internal audit function. To date, the training of the Internal Audit Department in the use of the TeamMate Software remained outstanding. This auditing software exists to enable auditors to improve its overall productivity through the provision of expert solutions and services, tailored to meet the needs of auditors.

#### ***Recommendation:***

- ***The TATT should report to Parliament on the progress and improvements made by its Internal Audit Department with regard to the training of staff to use the Internal Audit Department's TeamMate Software by January 31, 2022.***

### 2. Accounts Receivable

#### Debt Recovery

**The value of monies due to the TATT but not yet paid is too high and exposes the Authority to credit risk.** Having large Accounts Receivable exposes an entity to risk in the form of non-payment. The TATT has an Arrears Committee which meets every other month and submits regular reports to the Authority's Board. While the TATT has been able to reduce the levels of its Accounts Receivable in recent years, some matters pertaining to credit risk remained outstanding. In the Response from TATT to the Twenty Second Report, it was stated that despite the fact that the Authority had been awarded the sum owed by the courts in the United States, no payments had been made as of the time of writing, on behalf of the claimant.

#### ***Observation:***

- i. While the case of the delinquent claimant's estate may be isolated, it highlights a shortcoming in the TATT's ability to effectively manage its debt portfolio and recover debts owed internationally. To this end, the TATT should conduct research into the feasibility of bolstering its debt recovery mechanisms.***

***Recommendation:***

- i. ***The TATT should Report to Parliament on the following by January 31, 2022:***
  - a. ***The progress made with respect to the recovery of its outstanding debts;***
  - b. ***Any deferrals offered to debtors as a result of the Covid-19 Pandemic;***
  - c. ***the progress made by TSTT in adopting new or more aggressive debt collection mechanisms particularly for foreign debtors; and***
  - d. ***the specific action undertaken to reconcile the outstanding debt cited above as awarded by the courts in the United States.***

### **3. Universal Service**

#### Digital Inclusion Survey

**Cognizant of the need to identify and address the gaps in the local telecommunications sector, the TATT initiated the process to conduct a Digital Inclusion Survey.** This survey is conducted to provide the Authority with up-to-date information on the needs and short-comings of the telecommunication sector. In the TATT's response to the Twenty Second Report, it was stated that the next Digital Inclusion Survey was scheduled to be carried out in 2020. These surveys are done to determine which areas in Trinidad and Tobago are underserved or unserved, as well as the viability of providing services to those areas through local service providers. It was further noted that the survey was not completed in 2020 and commenced on April 12, 2021 with the expected completion date of September 30, 2021.

#### Incorporation of Information on Geographic Mobile Internet, Voice/SMS and Fixed Line Coverage in Quarterly and Annual Market Updates

**The lack of detailed information with respect to geographic, mobile Internet, voice/SMS and fixed line coverage inhibits the ability of the TATT to implement effective policy for the management the local ICT sector.** Information on Geographic Mobile Internet, Voice/ SMS and Fixed Line Coverage would provide a significantly clearer picture of the state of the local telecommunications sector, enabling the development of more effective and appropriate policy. This information would also assist in assuring the ease of public reference and understanding of the overages offered by service providers. It was noted that the TATT has yet to begin the incorporation of geographic data in its Market Updates, as of September 2020. The TATT stated that they needed to engage service providers to prepare data in this format.

#### Incorporation of an additional service provider to local Telecommunications Sector

**The quality of the internet service available to the citizens of Trinidad and Tobago leaves much to be desired when compared to its compatriots in the developed world.** This may in part be due to the lack of competition in the local telecommunications market stemming from the prevailing duopoly. The incorporation of an additional service provider has the potential to alleviate the stagnation present in the local market as well as enhancing coverage, towards the achievement of universal service. Through the incorporation of additional service providers, local consumers can also



be given a wider variety of choice which could have the added effect of increasing competition in the local market and by extension, improving the quality of products and services offered locally.

***Recommendations:***

- i. ***The TATT should provide a status update to Parliament on the progress of the Digital Inclusion Survey by January 31, 2022;***
- ii. ***The TATT should engage with local service providers to provide data on geographic mobile internet, voice/SMS and fixed line coverage and consolidate their responses in their Quarterly and Annual Market Updates for ease of public reference. A report on this should be submitted to Parliament by January 31, 2022; and***
- iii. ***The TATT should conduct a feasibility assessment on the potential benefits and drawbacks of inviting a third service provider to Trinidad and Tobago and report to Parliament on its findings by January 31, 2022.***

#### **4. Lack of Enforcement and Low Compliance**

The TATT's service providers were noted as sometimes failing to abide by the relevant terms and conditions of licenses. The inability of the TATT to effectively sanction delinquent service providers could lead to lapses in the quality of service offered to consumers. While non-renewal of these licenses assisted in improving conformity to some degree, a more diverse and robust system of reprimand may be needed to improve enforcement and compliance of service providers in the local ICT sector.

The situation differs in other countries, for example:

##### United States

In the United States, the Federal Communications Commission (FCC) included the relationship between the rights of network users and the responsibilities of network providers (referred to as the "Network Compact") as one of its strategic goals under the heading "Protecting Public Interest Goals"<sup>10</sup>. Concerning FCC administrative sanctions, Section 312 (a) (3) of the US Communications Act of 1934 states that "the Commission may revoke any station license or construction permit-for wilful or repeated failure to operate substantially as set forth in the license"<sup>11</sup>.

##### France

In France, the regulator ARCEP<sup>12</sup> is empowered to sanction at its discretion upon completion of thorough investigations. These sanctions include partial or total suspension of a provider's concession

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<sup>10</sup>Federal Communications Commission, About the FCC, accessed on Jul 29, 2021:

<https://www.fcc.gov/about/overview>

<sup>11</sup> Federal Communications Commission, Communications Act of 1934, accessed on July 29, 2021:

<https://transition.fcc.gov/Reports/1934new.pdf>

<sup>12</sup> Legifrance, Regulation of Electronic Communication, accessed on July 29, 2021:

for a given period of time, and fines calculated according to a service provider's revenue. These measures are pursued if the service provider continues non-compliant activity<sup>13</sup> despite official warnings sent by ARCEP.

**Observation:**

- i. The measures implemented in France and the United States provide applicable examples of more robust and effective sanctions and regulatory policies for the oversight of their respective telecommunications sectors. To prevent future delinquency by service providers in Trinidad and Tobago, amendments to the legislative tools available to the TATT need to be made.*

**Recommendation:**

- i. The TATT should provide an update including any draft relevant legislative amendments to Parliament on new enforcement mechanisms implemented to address service provider compliance issues by January 31, 2022.*

## 5. Project Management Plans and Timelines

### Wifi Access

**Internet Access remains out of reach to the marginalized members of the population, living below the bread line.** Internet access provides individuals with access to a wide and extensive range of resources and data-basis that they would otherwise, require considerable resources to access and utilize. One of the key themes of the national development strategy speaks to the nurturing of our greatest asset<sup>14</sup> (the people). In order to facilitate this nurturing process, it is the responsibility of the Government of Trinidad and Tobago to ensure that the basic needs of its citizens are met, to enable them to thrive and accomplish their goals. In an effort to expand the coverage of reliable internet access available to the citizens of Trinidad and Tobago, the TATT commenced a project for the installation of Wifi access points throughout the country, on August 23, 2019. While work on the three (3) Wi-Fi projects had commenced on schedule, due to the Covid-19 Pandemic, only 2 out of the 3 projects were on target for completion.

### Lack of Uptake of Persons with Disabilities Project<sup>15</sup>

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[https://www.legifrance.gouv.fr/affichCode.do;jsessionid=BC3D31BFA448CB194A6BAFAD19AEE487.tplgfr29s\\_3?idSectionTA=LEGISCTA000006165931&cidTexte=LEGITEXT000006070987&dateTexte=20190128](https://www.legifrance.gouv.fr/affichCode.do;jsessionid=BC3D31BFA448CB194A6BAFAD19AEE487.tplgfr29s_3?idSectionTA=LEGISCTA000006165931&cidTexte=LEGITEXT000006070987&dateTexte=20190128)

<sup>13</sup> Legifrance, Law for a Digital Republic, accessed on July 29, 2021:

[https://www.legifrance.gouv.fr/affichTexte.do;jsessionid=BC3D31BFA448CB194A6BAFAD19AEE487.tplgfr29s\\_3?cidTexte=JORFTEXT000033202746&categorieLien=id](https://www.legifrance.gouv.fr/affichTexte.do;jsessionid=BC3D31BFA448CB194A6BAFAD19AEE487.tplgfr29s_3?cidTexte=JORFTEXT000033202746&categorieLien=id)

<sup>14</sup> Ministry of Planning and Development, Vision 2030, accessed on July 29, 2021:

<https://www.planning.gov.tt/sites/default/files/Vision%202030-%20The%20National%20Development%20Strategy%20of%20Trinidad%20and%20Tobago%202016-2030.pdf> -

<sup>15</sup> Trinidad and Tobago Telecommunications Authority, Persons with Disabilities, accessed on July 29, 2021:

[https://tatt.org.tt/UniversalService/PersonswithDisabilities\(PWDs\).aspx](https://tatt.org.tt/UniversalService/PersonswithDisabilities(PWDs).aspx)

One of the key goals of the National Development Strategy under the theme of ‘Putting People First’, focused on the integration of marginalized persons such as persons with disabilities into society. Towards the accomplishment of this goal, the TATT undertook a project for the provision of smart phones to persons with disabilities. In spite of the well-intended nature of the project, it suffered from a lack of uptake in the community of persons with disabilities. This prompted the Authority to launch a public awareness campaign via newspaper ads, online videos, social media advertising and radio talk shows, to promote the Persons with Disabilities Project (PwD) to the persons with disabilities community.

***Observation:***

- ***While the public awareness campaign is an effective avenue to reach the persons with disabilities community, more can be done in the way of liaising directly with civil society groups (example- Blind Welfare Association or Consortium of Disability Organization) towards improving the overall engagement of the project.***

***Recommendations:***

- i. The TATT should report to Parliament on the progress of the completion of its outstanding projects including their expected completion dates, no later than January 31, 2022;*
- ii. The TATT should provide Parliament with an update on the effectiveness of its public awareness campaign, to promote the PwD Project to the community of persons with disabilities by January 31, 2022; and*
- iii. The TATT should report to the Parliament on issues and obstacles which confronted the entity regarding the management of its projects portfolio during the Covid-19 pandemic and including proposals for addressing same, by January 31, 2022.*

## **6. Spectrum Allocation**

### Spectrum Management Framework update

**The current Spectrum Management Framework of the TATT remains out of date and inhibits the ability of the TATT to effectively manage its portfolio.** In the TATT’s Response to the Twenty Second Report of the PAC, it was stated that the TATT had commenced the revision of its spectrum management framework and that work was well underway towards completion of the document for public consultation within the 2020/2021 financial year. This framework is essential for granting access to the radio frequency spectrum for the provision of telecommunications services, on a commercial and non-commercial basis, both to the general public and for private use.

### Revision of Telecommunications Act

**While the advancements to the local telecommunications sector are commendable, a more robust Telecommunications Act is needed to keep abreast with the demands of the local ICT sector.** In the Ministry of Public Administration and Digital Transformation’s Response to the PAC, it was stated that the Ministry was in support of the Authority’s involvement in the team to lead work

on the amendments to the Telecommunications Act which would also cover spectrum management. Amendments to the Act can better equip the TATT enabling them to more effectively sanction delinquent service providers, as well as the provision of the necessary legislative tools to bolster the development local ICT sector.

#### Challenges in the Submission of Opinion

The response of the Office of the Solicitor General to the PAC, stated that the office had challenges in the preparation of its opinion on the 2013 Request for Proposals for a third mobile provider and the assignment of the 700 MHz spectrum. It was noted that the requested opinion of the Solicitor General was impeded by the lack of verification of the facts by the Ministry of Public Administration and Digital Transformation. Without this verification, the submission of the Solicitor General's opinion could not be facilitated.

#### **Recommendations:**

- i. The TATT should provide Parliament with an update on the status of completion of its Spectrum Management Framework document and its efforts to modernize the regulatory framework for maritime services by January 31, 2022;*
- ii. The Ministry of Digital Transformation should provide Parliament with an update on the proposed amendments to the Telecommunications Act by January 31, 2022; and*
- iii. The TATT should provide Parliament with a report explaining the reason for its noncompliance with the request by the Office of the Solicitor General for verification of facts. It should also include a clear policy to ensure that such noncompliance does not recur. This report should be submitted by January 31, 2022.*

## **7. The Need to Promote STEM Education**

Ensuring that the youth of Trinidad and Tobago are exposed to a diverse range of opportunities from an early age is paramount to their development as productive citizens. The United Nations Sustainable Development Goal 4<sup>16</sup> relates to ensuring inclusive and equitable quality education as well as the promotion of lifelong learning opportunities for all. This goal directly relates to the work that was recently undertaken by the TATT and the Ministry of Education. The purpose of their collaboration was for the expansion of the Authority's outreach and training programmes, to include individuals at the secondary level, in addition to those from tertiary level institutes. The programme for the training of journalists provided these students with invaluable insight and advice and training relevant to pursuing careers in journalism. In lieu of the invaluable experience provided to the tertiary level students, efforts should be made to expand the programme to include students (and new graduates) from other tertiary level institutes as well as those at the secondary level. Towards the accomplishment of this goal, the TATT should utilize pre-existing avenues for engaging young professionals such as the Ministry of Education and Ministry of Labour (specifically the On-the-Job

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<sup>16</sup> United Nations, Department of Economic and Social Affairs, Sustainable Development, accessed on August 11, 2021: <https://sdgs.un.org/goals/goal4>

Training Programme). Through these ministries, and with the assistance of local media houses, more effective training programmes can be developed locally.

***Recommendations:***

- i. *The TATT should report to Parliament on any further measures to be implemented to extend its cooperation efforts to more tertiary level institutions by January 31, 2022;*
- ii. *The TATT should collaborate with the Ministry of Education and the Ministry of Labour, towards the development of initiatives aimed at providing training and experience to prospective journalists and report its findings to Parliament, no later than January 31, 2022.*

## Concluding Remarks

The relevance and importance of the TATT's responsibilities have become increasingly evident in the wake of the Covid-19 Pandemic. The TATT functions as an Independent Regulatory body, with the primary responsibility for the management of Trinidad and Tobago's telecommunications sector. The ICT sector provides the citizens of Trinidad and Tobago with the means to communicate and utilize the internet-based services industry. While there have been notable improvements in operations of the TATT, some key areas require further improvement, to bring the Authority to parity with its international compatriots.

One such area with room for improvement is in the Internal Audit function of the Authority. While the steps taken thus far to enhance the operations of the Authority are noteworthy, the requirement that the entire Audit Department is trained in the use of all of the Auditing software and procedures still needs to be completed.

Given the increased reliance on ICTs as a consequence of the Covid-19 Pandemic, for entertainment, work and school, the TATT should continue its work to ensure coverage across the country. The Authority is encouraged to continue to engage local service providers towards the collection of data on geographic mobile internet, voice/SMS and fixed line coverage. This information would enable the Authority to best understand the Telecommunication needs of the citizens of Trinidad and Tobago and facilitate the enactment of the requisite policy.

The TATT should also make note of the need for a review of its enforcement mechanisms, which lack the necessary capacity to effectively reprimand delinquent service providers and bring them into conformity. Without the necessary supporting legislative mechanisms to enforce its policies, the local Telecommunications sector will experience a depreciation in the quality of its services.

The incorporation of an additional service provider can potentially increase local competition thus ensuring that service providers are better incentivized to meet the needs of the citizens of the country. As a consequence, the TATT should make every effort to conduct a feasibility assessment of the viability of adding an additional service provider into the local sector.

With regard to the TATT's efforts in the promotion of STEM Education, the Authority is encouraged to expand its online programme offerings to other tertiary level institutions outside of COSTAATT to further build the capacity of local journalism. This would assist in standardizing journalism practices and raising the overall standard of journalism locally by ensuring that all locally trained individuals are trained and familiar with best practices.

As technology continues to advance, so too must our domestic legislation. A robust and scalable legislative framework would enable the TATT to achieve its mandate of being a global exemplar empowering people through ICT Sector development. The observations and recommendations stated above provide a clear picture of the short-comings and key areas for improvement within the TATT.

In pursuit of its mandate of excellence in service provision, the 'TATT' should remain mindful of the above noted recommendations as it continues to develop and evolve to meet the needs of the citizens of Trinidad and Tobago.

This Committee respectfully submits this Report for the consideration of the Parliament.

Mr. Davendranath Tancoo  
**Chairman**

Ms. Jearlean John  
**Vice - Chairman**

Mrs. Ayanna Webster-Roy  
**Member**

Dr. Amery Browne  
**Member**

Mr. Adrian Leonce  
**Member**

Mrs. Paula Gopee-Scoon  
**Member**

Mr. Roger Monroe  
**Member**

Mrs. Charrise Seepersad  
**Member**



**Appendix I – Recommendations from 22<sup>nd</sup> Report**  
Recommendations from the Twenty-Second Report of the PAC on an Examination of the Audited Financial Statements of the Telecommunications Authority of Trinidad and Tobago (TATT) for the financial years 2010 to 2016

Based on the Committee’s examination the following recommendations were proposed:

- *The TATT should report to Parliament on the progress and improvements made by its Internal Audit Department through its skill sharing partnership with external auditors KPMG by September 02, 2019;*
- *The TATT should develop a roadmap to implement an effective internal audit function, including IT auditing, to reduce its reliance on KPMG by September 02, 2019;*
- *The TATT should write to Parliament outlining its procedures for collection of outstanding debts, including the amount of time necessary for classification as bad debts, steps taken in case of death or insolvency of a debtor and measures implemented to avoid the occurrence of bad debts by September 02, 2019;*
- *The TATT should write to Parliament detailing strict parameters for the basis on which providers may deem service provision to be non-viable economically in certain geographical areas by September 02, 2019;*
- *The TATT should report to Parliament on the feasibility of collecting contributions from service providers for provision of universal service including the basis on which it would determine providers’ contribution amounts by September 02, 2019;*
- *The TATT should include statistics on geographic mobile internet, voice / SMS and fixed line coverage in its Quarterly and Annual Market Updates for ease of public reference by the publication of its Update for the first quarter of 2020. A report on this should be submitted to Parliament by September 02, 2019;*
- *The TATT should report to Parliament on the establishment of an enforcement mechanism to take action against delinquent service providers by September 02, 2019;*
- *The TATT should write to Parliament on the practicability of making renewals of service providers’ licences contingent upon those providers abiding by the relevant terms and conditions of their licences by September 02, 2019;*
- *The TATT should write to Parliament providing details of a standard project management framework including the setting of precise project timelines and the establishment of a continual monitoring and evaluation apparatus by September 02, 2019;*
- *The TATT should report to Parliament on its initiatives to communicate its position on removing legal obstacles to the use of the 700 MHz spectrum by service providers to the Solicitor General’s Department, the responses received from same and the TATT’s plans to ensure progress by September 02, 2019;*

- *The TATT should write to Parliament setting out its plans for future spectrum development under the guidance of ITU frameworks and incorporating relevant international best practices by September 02, 2019;*
- *The TATT should report to Parliament on its contribution to the Spectrum Planning and Management Project and whether the Project is bringing the region any closer to instituting the Single ICT Space by September 02, 2019;*
- *The TATT should report to Parliament on possible collaboration with the CTU to raise awareness throughout CARICOM Member States of the economic and social benefits of full alignment with ITU Region 2 to accelerate the process of instituting the Single ICT Space by September 02, 2019;*
- *The TATT should report to Parliament on initiatives with the Ministry of the Attorney General and Legal Affairs to bring the Single ICT Space and the need for convergence of CARICOM Member States' ICT policy onto the agenda of the next scheduled meeting of the CARICOM LAC by September 02, 2019;*
- *The TATT should write to Parliament detailing its plans to insist that services available to consumers be of the highest level provided for by technology, so that they meet the TATT's expectations as a regulator, and promote the interest of consumers by ensuring they get the best possible service for their money by September 02, 2019;*
- *The TATT should report on measures to be implemented to extend its cooperation with tertiary institutions to include the College of Science, Technology and Applied Arts of Trinidad and Tobago (COSTAATT) and the University of the Southern Caribbean (USC) in the 2019-2020 academic year by September 02, 2019;*
- *The TATT should report on its plans for syllabus development initiatives with the NEC by September 02, 2019;*
- *The TATT report on plans to work with schools to promote the study of STEM-related subjects offered at CAPE level by September 02, 2019; and*
- *The TATT should write to Parliament setting out the nature and value of the risk-free investments it would make if the proposed amendments to the Telecommunications Act are approved and estimates of the expected returns on investment by September 02, 2019.*

Appendix II – Questions for Written Submission

Twenty-Second Report of the PAC: Examination of the Audited Financial Statements of the Telecommunications Authority of Trinidad and Tobago (TATT) for the financial years 2010 to 2016

Report: [22nd PAC Report](#)

Date Laid in HOR: 25.08.2019

Date Laid in Senate: 11.09.2019

Ministerial Response: [Public Administration](#)

Date Laid in HOR: 02.11.2019

Date Laid in Senate: 20.11.2019

Follow-Up Questions for the Telecommunications Authority of Trinidad and Tobago (TATT)

Report Ref.	Report Recommendations	Ministerial Responses	Follow-up Questions
<b>1. Internal Audit</b>			
Rec 1.1	The TATT should report to Parliament on the progress and improvements made by its Internal Audit Department through its skill sharing partnership with external auditors KPMG by September 02, 2019;	<p>The TATT's partnership with KPMG ended in December 2015. The partnership yielded the following positive results:</p> <ol style="list-style-type: none"> <li>1. The development of a structure for the department which detailed the positions required to operate an efficient Internal Audit Function. Those positions were approved by the Board of Directors and have been filled since 2016 with qualified staff all of whom carry the Certified Internal Auditor (CIA) certification (4 employees) and three of whom are ACCA qualified accountants.</li> <li>2. The recommendation of the use of the IDEA software for the interrogation of the financial systems in operation at the TATT by internal audit. This software has been purchased and implementation is in progress. Training is currently being scheduled with internal audit staff.</li> <li>3. The purchase of "Teammate software" for use in the production and management of working papers for audits. This software has been purchased and implementation is in progress. Training will commence on completion of the software implementation.</li> </ol>	<p><b>For the TATT:</b></p> <ol style="list-style-type: none"> <li>1. With respect to the IDEA and TeamMate software: <ol style="list-style-type: none"> <li>a. When was the implementation of each one completed?</li> <li>b. Have all internal audit staff received the necessary training in order to use each software package?</li> <li>c. What was the cost of purchasing each software package?</li> <li>d. How will the use of these software packages help the Authority to eliminate delays in the preparation of internal audit reports?</li> <li>e. What are the other specific measurable benefits for the Authority's internal audit function to be derived from using each software package?</li> </ol> </li> <li>2. When were the Internal Audit Protocols, Internal Audit Work Plan and Revised Charter implemented?</li> <li>3. Are they periodically reviewed to ensure that they continue to reflect best practice?</li> </ol>

<i>Report Ref.</i>	<i>Report Recommendations</i>	<i>Ministerial Responses</i>	<i>Follow-up Questions</i>
		<p>4. The development of Internal Audit Protocols, the Internal Audit Work Plan and a revised Internal Audit Charter. All these documents are now in use by internal audit. The protocols govern the relationship between the Internal Audit Department and the rest of the organisation.</p> <p>5. The completion of audits in critical areas including:</p> <ul style="list-style-type: none"> <li>▪ Accounts Receivable and Revenue</li> <li>▪ Spectrum Management</li> <li>▪ Cash and banking</li> <li>▪ Fixed assets</li> </ul>	
Rec 1.2	The TATT should develop a roadmap to implement an effective internal audit function, including IT auditing, to reduce its reliance on KPMG by September 02, 2019.	The TATT ended its relationship with KPMG in 2015. Since that time, the department has been staffed with qualified personnel and working on the completion of audits.	<p><b><u>For the TATT:</u></b></p> <ol style="list-style-type: none"> <li>1. What measures did the Authority implement to ensure the retention of institutional memory regarding what was learnt through the partnership with KPMG?</li> <li>2. Has the Internal Audit Unit faced any challenges since 2015? If so, identify these challenges and how they were resolved.</li> </ol>
<b>2. Accounts Receivable</b>			
Rec 2.1	The TATT should write to Parliament outlining its procedures for	The PAC should note that on no occasion are licences or concessions renewed where the concessionaire or licensee is in arrears. Concessions are granted for a period of ten	<p><b><u>For the TATT:</u></b></p> <ol style="list-style-type: none"> <li>1. Provide details of the Authority's debt recovery policy.</li> </ol>

<b>Report Ref.</b>	<b>Report Recommendations</b>	<b>Ministerial Responses</b>	<b>Follow-up Questions</b>
	<p>collection of outstanding debts, including the amount of time necessary for classification as bad debts, steps taken in case of death or insolvency of a debtor and measures implemented to avoid the occurrence of bad debts by September 02, 2019.</p>	<p>years and all concessions renewed were only renewed where there were no arrears.</p> <p>In the case of death of the debtor, the TATT continues to pursue the estate as in the case of Mohan Jaikaran. The PAC may recall that the TATT did not renew or permit new applications for the concessions held by Mohan Jaikaran on his death. The Jaikaran family pursued a judicial review of the TATT's decision in court which they lost.</p> <p>The TATT has continued to manage its debt portfolio and has taken radio and television stations off the air from time to time. The TATT has requested the revocation of concessions arising from non-payment, two of which are currently receiving the attention of the Minister.</p> <p>The TATT also pursues claims in the small claims court and judgement has been granted for the TATT in one case against a broadcaster in 2019. It should be noted that the court gave the Broadcaster approximately ten months to repay the debt.</p> <p>The TATT uses the guidelines provided by the International Financial Reporting Standards (IFRS) in determining "bad debt" and establishes provisions in its financial statements to allow for the potential for doubtful debt to become bad or impaired.</p>	<p>2. Further to the small claims court judgement, did the debtor pay the sum owed by the specified deadline?</p> <p><b><u>For the Ministry of Public Administration and Digital Transformation (MPADT):</u></b></p> <p>1. What was the Ministry's decision regarding the TATT's request for the revocation of two (2) radio / television concessions due to non-payment?</p>
<b>3. Universal Service</b>			
Rec 3.1	The TATT should write to Parliament detailing	Section 28 of the Telecommunications Act Chap 47:31 outlines the requirement for Universal Service. The	<b><u>For the TATT:</u></b>

<i>Report Ref.</i>	<i>Report Recommendations</i>	<i>Ministerial Responses</i>	<i>Follow-up Questions</i>
	<p>strict parameters for the basis on which providers may deem service provision to be non-viable economically in certain geographical areas by September 02, 2019;</p>	<p>Universal Service Fund (USF) does not draw on "public funds" but is financed from:</p> <ul style="list-style-type: none"> <li>▪ Contributions from service providers specifically for Universal Service projects, separate from payments for use of spectrum, number resources or concession fees.</li> <li>▪ Contributions from TATT annual revenue approved by its Board of Directors.</li> </ul> <p>The TATT through its Universal Service Framework (<b>Appendix 1</b>) determines which locations are non-viable economically and not the service providers. The TATT conducts digital divide/digital inclusion surveys to determine areas which are underserved and unserved and the viability of providing services to those areas by service providers. The next Digital Inclusion Survey is scheduled to be carried out in 2020.</p> <p>The concept of universal service was developed having regard to the importance of telecommunications services to the needs of the public. The concept of universal service therefore focuses on facilitating accessible and affordable basic telecommunications services to all citizens of Trinidad and Tobago.</p> <p>Conditions for the rollout of services on a niche or national basis are outlined in Concession arrangements between service providers and the TATT.</p>	<ol style="list-style-type: none"> <li>1. Was the Digital Inclusion Survey completed in 2020? <ol style="list-style-type: none"> <li>a. If yes, what were its conclusions?</li> <li>b. If no, what is the estimated timetable for its completion?</li> </ol> </li> </ol>

<i>Report Ref.</i>	<i>Report Recommendations</i>	<i>Ministerial Responses</i>	<i>Follow-up Questions</i>
		<p>In terms of service provision, some geographic areas may not be economically viable for the roll-out of certain services when the potential revenue generated from these services cannot recover the cost of infrastructural build-out. In this regard, the concept of Universal Service aims to bridge the gap created by affordability and accessibility constraints that might exist locally.</p>	
Rec 3.2	<p>The TATT should report to Parliament on the feasibility of collecting contributions from service providers for provision of universal service including the basis on which it would determine providers' contribution amounts by September 02, 2019;</p>	<p>The Universal Service Regulations 2015 amended in 2019, (<b>Appendix 2</b>) stipulate the basis upon which contributions are made to the Universal Service Fund by service providers. Service Providers are required by law to contribute to the fund. The regulations also allow for forbearance where the USF is oversubscribed. The annual contributions as outlined in Schedule 2 below and required by law are:</p> <ul style="list-style-type: none"> <li>- 1% Domestic Revenue</li> <li>- 0.5% International Revenue</li> </ul> <p>In accordance with paragraph 7 of the Universal Service Regulations 2019 amended in 2019, the TATT in response to the service provider requests agreed to forbear on contributions for two years 2016/17 and 2017/18. Invoices have been dispatched for contributions due for 2018/19 the current financial year.</p> <p>The expectation is that these invoices will be paid largely because three Universal Service Projects have commenced this year namely:</p> <ol style="list-style-type: none"> <li>1. Subsidised devices for Persons with</li> </ol>	<p><b><u>For the TATT:</u></b></p> <ol style="list-style-type: none"> <li>1. Were all contributions due in respect of 2018/19 and 2019/20 paid to the Authority? <ol style="list-style-type: none"> <li>a. If no, what measures has the Authority implemented to secure payment of the outstanding sums?</li> </ol> </li> </ol>

<i>Report Ref.</i>	<i>Report Recommendations</i>	<i>Ministerial Responses</i>	<i>Follow-up Questions</i>
		<p data-bbox="772 267 915 297">Disabilities</p> <ol style="list-style-type: none"> <li data-bbox="653 310 936 339">2. Public Wi-Fi</li> <li data-bbox="653 352 1245 453">3. Infrastructure projects in three underserved locations in Trinidad and Tobago.</li> </ol> <p data-bbox="583 495 1304 735">Section 28 of the Telecommunications Act, Chap 47:31 ("the Act") provides that the TATT shall, in accordance with such policy, determine the services in respect of which the requirements of universal service shall apply and shall determine the manner in which such services shall be provided and funded to meet the requirements of universal service.</p> <p data-bbox="583 781 1304 917">Section 18(1)(c) of the Act provides that the TATT shall determine universal service obligations throughout Trinidad and Tobago pursuant to section 28 and shall ensure that such obligations are realized.</p> <p data-bbox="583 963 1304 1307">In light of the above, it should be noted that by Legal Notice No.63 of 2015, the Telecommunications (Universal Service) Regulations were promulgated by Parliament. The Regulations established the framework for the operationalization of the Universal Service Fund and created the mechanism of mandatory and contractual universal service initiatives. Further, Legal Notice No. 11 of 2019 amends the current Regulations to broaden the scope of service provision that are considered under universal service.</p> <p data-bbox="583 1352 1304 1414">The TATT's policy considerations in relation to the determination of universal service obligations are outlined</p>	



<b>Report Ref.</b>	<b>Report Recommendations</b>	<b>Ministerial Responses</b>	<b>Follow-up Questions</b>						
		<p>in the <i>Universal Service Framework</i>, a document which underwent two rounds of public consultation. This document identified the services subject to universal service obligations, set out the TATT's operational procedures for the Universal Service Fund into which contributors (concessionaires) would be bound to contribute a percentage of their revenues and identified the universal service initiatives that would be supported by the fund.</p> <p>An extract from the Telecommunications (Universal Service) Regulations detailing the contributions required by concessionaires is contained in Schedule 2.</p> <p>SCHEDULE 2 (Regulations 2 and 5) CONTRIBUTIONS TO THE UNIVERSAL SERVICE</p> <table border="0"> <thead> <tr> <th data-bbox="583 914 758 976">Percentage of Gross Revenues Provided</th> <th data-bbox="1010 914 1297 943">Types of Service</th> </tr> </thead> <tbody> <tr> <td data-bbox="583 1019 611 1049">0.5</td> <td data-bbox="663 1057 1192 1154">Domestic telecommunications services or operation of domestic telecommunications network facilities.</td> </tr> <tr> <td data-bbox="583 1198 600 1227">1</td> <td data-bbox="663 1203 1236 1300">International telecommunications service or operation of international telecommunications network facilities.</td> </tr> </tbody> </table>	Percentage of Gross Revenues Provided	Types of Service	0.5	Domestic telecommunications services or operation of domestic telecommunications network facilities.	1	International telecommunications service or operation of international telecommunications network facilities.	
Percentage of Gross Revenues Provided	Types of Service								
0.5	Domestic telecommunications services or operation of domestic telecommunications network facilities.								
1	International telecommunications service or operation of international telecommunications network facilities.								
Rec 3.3	The TATT should include statistics on geographic mobile	The TATT notes this recommendation.	<b><u>For the TATT:</u></b>						

<b>Report Ref.</b>	<b>Report Recommendations</b>	<b>Ministerial Responses</b>	<b>Follow-up Questions</b>
	<p>internet, voice/SMS and fixed line coverage in its Quarterly and Annual Market Updates for ease of public reference by the publication of its Update for the first quarter of 2020. A report on this should be submitted to Parliament by September 02, 2019.</p>	<p>Quarterly and Annual Market Reports usually contain data on a national scale. However, the 2020 reports will incorporate this recommendation and geographic data will be published.</p> <p>At this time however, the TATT cannot commit to the inclusion of this data in its first quarter 2020 Market Report which is due for publication by end of February 2020. The TATT however is aware of the importance of the data to its work and the country's development indices and so every effort is being made to collect and report on the data including confirmation of accuracy by September 2020.</p> <p>It should also be noted that the TATT undertook two National Digital Divide Surveys in 2007 and 2013 with the following goals:</p> <ul style="list-style-type: none"> <li>▪ To pinpoint the underserved communities within Trinidad and Tobago;</li> <li>▪ To provide benchmarking figures on the ICT scale for Trinidad and Tobago's comparison with other international countries;</li> <li>▪ To identify the telecommunications needs of persons with disabilities; and</li> <li>▪ To assess the ability of those persons to afford assistive technologies (equipment and services).</li> </ul> <p>The TATT expects to commence a third Digital Divide Survey in 2020 in order to determine the current state of</p>	<ol style="list-style-type: none"> <li>1. Has the Authority succeeded in incorporating geographic data in its Market Updates as of September 2020 as indicated? <ol style="list-style-type: none"> <li>a. If no, what is estimated timeframe to start including this data in the Market Updates?</li> </ol> </li> <li>2. Was the Third Digital Divide Survey launched in 2020 as planned? <ol style="list-style-type: none"> <li>a. What have been the challenges encountered in conducting this survey?</li> </ol> </li> <li>3. The National Information and Communication Technology Company Limited (iGovTT), is the implementation arm of the TATT's Line Ministry – the MPADT. Part of iGovTT's mandate is 'the provision of value-added ICT support services to Government Ministries, Departments and Agencies'<sup>17</sup> to further the country's digitisation. <ol style="list-style-type: none"> <li>a. Given the overarching goal of the Third Digital Divide Survey to contribute to ICT development in Trinidad and Tobago, has the Authority pursued any collaboration in this regard with iGovTT?</li> <li>b. If yes, what were the benefits of this collaboration?</li> </ol> </li> <li>4. In light of the current global pandemic and the need to bridge the digital divide for work</li> </ol>

<sup>17</sup> iGovTT website, About Us, <<https://www.igovtt.tt/>> accessed January 15, 2020

<b>Report Ref.</b>	<b>Report Recommendations</b>	<b>Ministerial Responses</b>	<b>Follow-up Questions</b>
		ICT access and the challenges that exist locally. The underlying objective of this exercise is to bridge the digital divide through the implementation of appropriate universal service initiatives that will contribute to the continued ICT development in Trinidad and Tobago.	and school, how has TATT been able to address the increased need for inter connectivity?
<b>4. Lack of Enforcement and Low Compliance</b>			
Rec 4.1	The TATT should report to Parliament on the establishment of an enforcement mechanism to take action against delinquent service providers by September 02, 2019;	<p>The TATT has an enforcement mechanism however this mechanism is flawed as outlined to the PAC. The TATT is unable to administer fines for breaches as other international regulators mentioned above because of weaknesses in our legislation. The changes required to strengthen the TATT's enforcement powers are awaiting the approval of the Attorney General's Office and subsequently the Parliament.</p> <p>The TATT currently conducts search and seizure action against operators in breach. The suspension of a concession is not a practical step in most instances. This is because a concession permits the operator to provide services to the public. Curtailment of services to paying customers who place reliance on those services for example telephone, internet, television is a significant step which affects not only the service provider but all its customers including commercial and government. Such action therefore cannot be taken lightly.</p> <p>The TATT has seized equipment which prevents broadcasters from providing service or in some instances the TATT has not renewed concessions because of non-payment. EG, Mohan Jaikaran (deceased) (Win TV and Radio).</p>	<p><b><u>For the Office of the Attorney General and Ministry of Legal Affairs (AGLA):</u></b></p> <ol style="list-style-type: none"> <li>1. What is the status of the Ministry's consideration of the amendments to the Telecommunications Act Chap 47:31 required to enable the TATT to strengthen its enforcement initiatives?</li> <li>2. What are the reason/s for the delay in reviewing the Authority's proposed amendments?</li> <li>3. What is the Ministry's opinion on the changes requested by the TATT?</li> </ol>

<b>Report Ref.</b>	<b>Report Recommendations</b>	<b>Ministerial Responses</b>	<b>Follow-up Questions</b>
Rec 4.2	The TATT should write to Parliament on the practicability of making renewals of service providers' licences contingent upon those providers abiding by the relevant terms and conditions of their licences by September 02, 2019.	The PAC is advised that this recommendation reflects the TATT's position, and in all instances, service providers' concessions and associated licences were not renewed in the instance of non-payment. The TATT is in the process of commencing procurement of a database, "Repository of Breaches", in order to compile data on concession and licence breaches. This information will be used to determine compliance levels and the initiation of enforcement action by the TATT.	<p><b>For the TATT:</b></p> <ol style="list-style-type: none"> <li>1. With respect to the "Repository of Breaches" database: <ol style="list-style-type: none"> <li>a. When was the database procured?</li> <li>b. What was the cost of procuring the database?</li> </ol> </li> <li>2. Has the database been implemented? <ol style="list-style-type: none"> <li>a. If so, when and how has the database measurably enhanced the Authority's enforcement initiatives?</li> </ol> </li> </ol>
<b>5. Project Management Plans and Timelines</b>			
Rec 5.1	The TATT should write to Parliament providing details of a standard project management framework including the setting of precise project timelines and the establishment of a continual monitoring and evaluation apparatus by September 02, 2019.	<p>At the beginning of each financial year, the Board of Directors of the TATT approves key deliverables and projects that are deemed necessary to fulfil the TATT's statutory function and overall mandate. These projects are monitored on a quarterly basis using a standardized project management framework with specific timeframes for completion and implementation.</p> <p>Additionally, the TATT's management is involved in the development of the strategic plan and meets at the beginning of each financial year to discuss projects to be implemented in the upcoming period. At this meeting, projects are reviewed, and responsibility and support functions defined. Progress meetings are held quarterly, while a mid-year review and before end of the year review are conducted to determine where additional resources are required and areas which need attention.</p>	<p><b>For the TATT:</b></p> <ol style="list-style-type: none"> <li>1. How many project managers did the TATT engage respectively for the Persons with Disabilities project and the WiFi project?</li> <li>2. What was the timeframe for which these professionals were engaged?</li> <li>3. How did the TATT measure the achievements of these project managers?</li> <li>4. How did the TATT ensure value for money from this initiative?</li> <li>5. With respect to the WiFi Project Schedule dated August 23, 2019 submitted to the Committee, were all WiFi implementation tasks completed by the three (3) specified milestone dates? <ol style="list-style-type: none"> <li>a. If no, what were the challenges impeding progress and what measures did the Authority implement in this regard?</li> </ol> </li> </ol>

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		<p>The TATT, at the organization level utilizes project management tools in the development and monitoring of its projects. Some of these include project charters and or Logical Frameworks in the initiating/proposal stage, Gantt charts and performance management frameworks (<b>see attachment</b>) to monitor and track performance in the planning, executing and monitoring stages and year-end reporting and exception reports for the closing stage of the projects. The frequency of the reporting to the Board of Directors is done on a quarterly basis. At the department level however, this may be broken down to a more granular level depending on the nature of the project and the stakeholders involved. Individual departments are responsible for their manpower planning, risk assessments and quality control.</p> <p>In terms of universal service projects, the TATT will be acquiring the services of project managers for large-scale projects in order to ensure project deliverables and objectives. In this regard, project managers will be sourced for the Persons with Disabilities project and the WiFi project.</p> <p>Project schedules enclosed for these two projects are attached as <b>Appendix 3 and 4</b>. The project managers are required to prepare weekly project reports for the attention of Management. These reports will be used as the basis for evaluating progress including identifying potential delays, bottlenecks and introducing timely corrective action when necessary.</p>	<ol style="list-style-type: none"> <li>6. Was the Persons with Disabilities (PWD) Project completed? <ol style="list-style-type: none"> <li>a. If no, what were the challenges impeding progress and what measures did the Authority implement in this regard?</li> </ol> </li> <li>7. What were the findings of the internal review of the PWD Project and how have these findings been used to strengthen project implementation across the board?</li> </ol>

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<b>6. Spectrum Allocation</b>			
Rec 6.1	The TATT should report to Parliament on its initiatives to communicate its position on removing legal obstacles to the use of the 700 MHz spectrum by service providers to the Solicitor General's Department, the responses received from same and the TATT's plans to ensure progress by September 02, 2019; and	<p>The TATT has on numerous occasions communicated with the Solicitor General's Chambers indicating the issues surrounding the obstacles to the assignment of the 700 MHz spectrum, more specifically the TATT has requested an opinion on the 2013* Request for Proposals (RFP) for a third mobile provider that ties the assignment of the 700 MHz spectrum. The opinion would guide the Ministry of Public Administration and the TATT on whether the RFP can be determined and/or permit the Ministry and/or the TATT to proceed to assign the concession and related spectrum.</p> <p>The Solicitor General's Chambers has communicated to the TATT that it was reviewing the matter and that an opinion would be provided. To date no opinion has been provided. In the absence of the legal opinion from the Solicitor General, the TATT has consequently sought to progress the matter by providing guidance to the Ministry to have the spectrum assigned based on legal opinions received from respected legal luminaries.</p>	<p><b><u>For the MPADT:</u></b></p> <ol style="list-style-type: none"> <li>1. What was the Ministry's decision on the way forward regarding spectrum allocation, based on the guidance submitted by the TATT and in the absence of feedback from the Office of the Solicitor General?</li> </ol> <p><b><u>For the AGLA – Office of the Solicitor General:</u></b></p> <ol style="list-style-type: none"> <li>1. Did the Solicitor General provide the opinion requested by the TATT on a Request for Proposals for a third mobile provider? <ol style="list-style-type: none"> <li>a. If yes, when was it provided? Provide a copy to the Committee.</li> <li>b. If no: <ul style="list-style-type: none"> <li>• What is the status of the Solicitor General's preparation of the said opinion?</li> <li>• What have been the obstacles impeding the Solicitor General's progress in this regard?</li> <li>• What form of assistance or other collaboration could facilitate completion of the requested opinion?</li> </ul> </li> </ol> </li> </ol>
Rec 6.2	The TATT should write to Parliament setting out its plans for future spectrum development under the guidance of ITU frameworks and	Consistent with the current plan to award more spectrum to the cellular mobile operators, TATT has offered spectrum in the Advanced Wireless Services (AWS) band — i.e. 1700 MHz paired with 2100 MHz spectrum.	<p><b><u>For the TATT:</u></b></p> <ol style="list-style-type: none"> <li>1. Could the Authority advise, how far the implementation of this plan is on track or whether it has it been delayed?</li> </ol>

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	<p>incorporating relevant international best practices by September 02, 2019.</p>	<p>TATT moves into a new strategic plan cycle from 2019-2022. TATT plans to modernize its overall spectrum management framework to current applicable best practices in spectrum managements. In so doing, TATT plans to assess the spectrum requirements of both cellular mobile operators and broadband wireless access (BWA) service providers to ensure that sufficient spectrum is available to meet the needs of these markets, whose primary service offering is broadband Internet access. TATT will be guided by the ITU's regulations and recommendations for spectrum use in this regard.</p> <p>TATT will also give specific attention to spectrum requirements for emergency communications and analogue-to-digital switchover for free-to-air television broadcasting within this strategic cycle, as it moves to align with the ITU's recommendations in this regard. Guidance in these areas will also be sought from regional and international best practices of other recognized regulators, such as the Federal Communications Commission (FCC) in the USA, the Office of Communications (Ofcom) in the United Kingdom and Infocom Media Development TATT (IMDA) in Singapore.</p> <p>Further to this, TATT plans to modernize its regulatory frameworks for amateur and maritime services, to ensure that its rules and guidelines for these two services are consistent with current best practices, particularly in the area of safety of life at sea and emergency communications.</p>	
<b>7. Non-Implementation of the CARICOM Single ICT Space</b>			

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Rec 7.1	The TATT should report to Parliament on its contribution to the Spectrum Planning and Management Project and whether the Project is bringing the region any closer to instituting the Single ICT Space by September 02, 2019;	<p>TATT plays a critical and influential role in the regional spectrum management planning activities spearheaded by the Caribbean Telecommunications Union (CTU) — the CARICOM appointed agency responsible for ICT policy guidance. TATT currently chairs the CTU's spectrum management task force (SMTF), which has been moving to harmonize spectrum planning and practices throughout the CARICOM membership.</p> <p>TATT has been heavily involved in the CTU's Caribbean Spectrum Management Policy Reform Project (2005-2010), which resulted in the development of the <i>Caribbean Spectrum Management Policy Framework</i>. Pursuant to this, a Strategic Plan was developed in 2016 to focus on key areas of spectrum management harmonization: frequency allocation; cross-border coordination to prevent harmful interference; emergency communications and emerging technologies — e.g. digital terrestrial television and white space devices. This work is currently underway and in its third year of action (2019).</p> <p>TATT is confident that a harmonized approach to spectrum management will assist in the development of a single ICT space for the Caribbean, as economies of scale and scope can be realized for the Caribbean market from a common approach to the use of spectrum for wireless broadband development, public protection and disaster relief, aeronautical and maritime safety and emerging technologies — e.g. Internet of Things, white space devices.</p>	<p><b>For the TATT:</b></p> <ol style="list-style-type: none"> <li>1. What were the results of the work done in relation to the key areas of the Strategic Plan developed in 2016?</li> </ol>
Rec 7.2	The TATT should report to Parliament on	TATT is pleased to inform Parliament that such collaboration is underway amongst the CTU, TATT and	<p><b>For the TATT:</b></p>



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	possible collaboration with the CTU to raise awareness throughout CARICOM Member States of the economic and social benefits of full alignment with ITU Region 2 to accelerate the process of instituting the Single ICT Space by September 02, 2019; and	other Caribbean regulators, within the current initiative to harmonize to a Caribbean table of frequency allocation, which is consistent with ITU-R Region 2 table of frequency allocation and based on national table of frequency allocations from CARICOM countries.	2. What have been the benefits achieved from this collaboration between the TATT and the CTU as at January 31, 2021?
Rec 7.3	The TATT should report to Parliament on initiatives with the Ministry of the Attorney General and Legal Affairs to bring the Single ICT Space and the need for convergence of CARICOM Member States' ICT policy onto the agenda of the next scheduled meeting of the CARICOM LAC by September 02, 2019.	<p>The Single ICT space project is managed by the CTU. The TATT supports on sector specific issues only, and where required.</p> <p>The CTU which is a CARICOM body, has engaged CARICOM ICT Ministers on the single ICT space and it is the ministers' responsibility to take the matter forward. The TATT remains available to support the CTU in this regard.</p>	<p><b>For the MPADT:</b></p> <ol style="list-style-type: none"> <li>1. What is the status of the Ministry's participation in initiatives to facilitate the implementation of the Single ICT Space?</li> <li>2. What are the economic benefits of the Single ICT Space for Trinidad and Tobago?</li> </ol>
<b>8. The TATT's International Commitments Under the GATS</b>			
Rec 8.1	The TATT should write to Parliament detailing	The TATT executes its mandate under the Act by educating the public, reviewing pricing and competition	<b>For the TATT:</b>

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	<p>its plans to insist that services available to consumers be of the highest level provided for by technology, so that they meet the TATT's expectations as a regulator, and promote the interest of consumers by ensuring they get the best possible service for their money by September 02, 2019.</p>	<p>issues, enforcing regulations and standards, and monitoring to ensure compliance.</p> <p>The following outlines some of the TATT's main activities as it relates to this recommendation:</p> <ul style="list-style-type: none"> <li>▪ The TATT since its inception has undertaken regular ICT Open Fora that brings together stakeholders to discuss ideas, issues, and challenges that affect the local sector. The topics in the past have included Over-the-Top-Technologies (OTTs), Number Portability, Consumer Power and crypto-currency, just to name a few. Further, the TATT's media series entitled: "You Don't Know What You Don't Know" seeks to further educate stakeholders as it relates to issues that affect the public. The most recent episode focused on number portability from a consumer perspective.</li> <li>▪ The TATT's Consumer Complaints Committee, which is chaired by an external neutral party, meets with service providers to resolve consumer complaints and disputes.</li> <li>▪ In terms of pricing and economic matters, the Tariff Review Committee at the TATT reviews pricing and competition issues that affect the sector. Based on the work of this committee, a Tariff Notification comparing plans and prices available in the markets by the service providers, is also issued quarterly.</li> <li>▪ From a regulatory and policy perspective, the <i>Consumer Rights and Obligations Policy</i> and the draft <i>Telecommunications (Consumer) (Quality of Service)</i></li> </ul>	<ol style="list-style-type: none"> <li>1. In carrying out its review of competition in furtherance of its mandate, did the TATT's Tariff Review Committee engage in any collaboration with the Fair Trading Commission? <ol style="list-style-type: none"> <li>a. If yes, when was this done and what were the benefits realised?</li> </ol> </li> <li>2. What is the completion status of the drafting of the TATT's proposed amendments to the Telecommunications Act and revisions to supporting regulations?</li> </ol>

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		<p><i>Regulations</i> seeks to establish the service standards to which service providers must adhere to ensure that they maintain an acceptable standard of service. These documents also seek to ensure a consumer's right to information and that service providers provide accurate product and service information.</p> <ul style="list-style-type: none"> <li>▪ The draft Telecommunications (Consumer) (Quality of Service) Regulations are attached as <b>Appendix 5</b>. The draft regulations are currently receiving the attention of the Attorney General's Office.</li> <li>▪ From a technical standpoint, the <i>Broadcasting Technical Quality of Service Standards: Subscription and Free-to-Air Television Broadcasting Services in Trinidad and Tobago</i> establishes the technical parameters as it relates to quality of service for local television broadcasting. <b>Appendix 6</b></li> <li>▪ The TATT's monitoring and enforcement functions also enable the TATT to monitor Radio Frequency (RF) emissions in order to ensure Concessionaires meet their service obligations, as well as determine if there are any RF interference issues which might affect customers and other service providers.</li> </ul> <p>Going forward, the TATT has proposed Amendments to the Act and revisions to some of the supporting regulations in order to strengthen the TATT's mandate, especially as it relates to quality of service, pricing, and competition issues. The Amendments to the Act and the</p>	

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		<p>proposed Regulations are currently before the Chief Parliamentary Counsel for finalization.</p> <p>The policy and associated regulations seek to establish standards of performance for operators whilst at the same time identifying consumer obligations. Where operators do not meet the performance standards, they can be fined in accordance with criteria established in the framework and regulations.</p> <p>The use of the Policies and Regulations will ensure that the TATT can meet its obligations for consumer protection under the Telecommunications Act Chap. 47:31 and the GATS.</p>	
<b>9. The Need to Promote STEM Education</b>			
Rec 9.1	The TATT should report on measures to be implemented to extend its cooperation with tertiary institutions to include the College of Science, Technology and Applied Arts of Trinidad and Tobago (COSTAATT) and the University of the Southern Caribbean (USC) in the 2019-2020 academic year by September 02, 2019;	The TATT is currently contemplating providing support to tertiary organisations including COSTAATT in the area of Broadcast Journalism in order to improve standards. The TATT has noted that COSTAATT and UWI already have curricula developed in this area and discussions will be held with these institutions and others which have developed such programmes. Research has been conducted to identify the content of the courses offered and to determine what additional programme support the TATT could supply to these institutions. These measures will commence 2019/2020.	<p><b>For the TATT:</b></p> <ol style="list-style-type: none"> <li>1. Did the TATT commence the provision of programme support during 2019/2020 as planned? <ol style="list-style-type: none"> <li>a. If yes, indicate what support has been provided thus far and the institutions to which it has been provided.</li> </ol> </li> </ol>

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Rec 9.2	The TATT should report on its plans for syllabus development initiatives with the NEC by September 02, 2019;	Regarding tech-vocational training, the TATT has not embarked on research in this area however, the TATT is willing to bring this area of capacity building and skills training to the attention of our line Ministry of Public Administration in view of its responsibility for the implementation of the National ICT Plan (NICT) which includes skills development initiatives.	<b><u>For the MPADT:</u></b> 1. Did the TATT engage with the Ministry about technical / vocational syllabus development? a. If yes, what relevant decisions were made and initiatives undertaken in this regard?
Rec 9.3	The TATT report on plans to work with schools to promote the study of STEM-related subjects offered at CAPE level by September 02, 2019.	The TATT has not at this time considered programmes to address STEM-related subjects at the CAPE level. Rather we have concentrated our efforts at tertiary level education with students already studying STEM-related disciplines. The TATT will however conduct the research to determine the support needed looking also at the initiatives already provided by NIHERST and other agencies.  The TATT already works with schools on "Careers in ICT" outreach events and conducts lectures and demonstrations when invited to do so at schools or at the TATT's offices.	<b><u>For the TATT:</u></b> 1. What were the TATT's findings from the research conducted to determine possible support to be offered for STEM education at the secondary level? 2. Has the TATT engaged in any concrete initiatives based on this research? a. If yes, provide details of these initiatives.
<b>10. Investment Potential</b>			
Rec 10.1	The TATT should write to Parliament setting out the nature and value of the risk-free investments it would make if the proposed amendments to the Telecommunications Act are approved and	The TATT notes the comments of the PAC in this regard and clarifies that 100% of the Universal Service Fund of \$120 million is held in a current account.  Should the TATT be granted the ability by change to its primary legislation the Telecommunications Act Chap. 47:31, to make "risk free" investments, then it is our intention to invest in:	<b><u>For the MPADT:</u></b> 1. What is the Ministry's view on the suitability of granting the TATT the ability to make investments from the Universal Service Fund?

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	<p>estimates of the expected returns on investment by September 02, 2019.</p>	<ul style="list-style-type: none"> <li>- Short Term investments including treasury bills</li> <li>- Longer term investments including GORTT bonds</li> </ul> <p>It is not possible at this time to identify how much of the fund will be invested since the TATT has commenced work on three Universal Service Projects in 2018/2019.</p> <p>A decision on investments will be made after a review of the value of the fund and the demands on the fund as well as associated cash flow requirements when the approval is granted.</p>	