

In accordance with Sections 7, 8 and 9 of the Freedom of Information Act (FOIA) 1999, the Ministry of Trade and Industry, is required by law to publish the following statement, which is an explanation of the role and responsibility of the Ministry and the categories of documents held by this Ministry. The Act gives the public general right of access (with exemptions) to official documents held by the Ministry of Trade and Industry.

SECTION 7 STATEMENTS

Section 7 (1) (a) (i)

The Function and Structure of the Ministry of Trade and Industry

VISION

A dynamic organisation at the forefront of trade and industry, creating opportunities for increased competitiveness, economic growth and investment.

MISSION

To drive industrial and commercial development, through innovative strategies delivered by vibrant and responsive professionals, in order to propel Trinidad & Tobago to the forefront of economic achievement.

The Ministry of Trade and Industry is leading the drive to position this country as a Manufacturing Base, and the Commercial, Transshipment and Financial Hub of the Caribbean and the Americas.

It has as its core responsibility the promotion and development of trade activities, with an emphasis on generating sustainable export-led growth and development, by securing enhanced access to foreign markets for local companies. As the pivotal agency for trade promotion and development, the Ministry manages and coordinates the trade reform process to enhance this country's competitiveness globally.

In its role as official Secretariat for the Prime Minister's Standing Committee on Business Development, the Ministry spearheads activities surrounding Government's strategic objective of diversifying the Trinidad and Tobago economy. This is closely tied to another important role, the development of Industry in Trinidad and Tobago. In this regard, the Ministry is working to formulate more appropriate industrial, trade and services policies, to enhance the local industrial sector's ability to maximise opportunities being negotiated, under the various trade agreements to which Trinidad and Tobago is signatory.

The Manufacturing and Services sectors have been identified as the new engines of growth, and much of the Ministry's activities are geared towards creating a facilitatory and supportive environment for business activities, based on trade liberalisation, business expansion, industrial restructuring, and an expansion of the export capability of local companies. Throughout this process, the Ministry works closely with key stakeholders in the business community — both in its own capacity and through its various agencies and state enterprises.

The Ministry is also responsible for stimulating both Domestic and Foreign Investment, and is upgrading the entire framework for attracting investment, which is the lifeblood of industrial activity.

OPERATIONAL DEPARTMENTS AND DIVISIONS

The Ministry of Trade and Industry is divided into nine (9) core and eight (8) support divisions, as follows:

Trade Promotion And Development Division

The Trade Promotion and Development Division is responsible for coordinating this country's negotiating positions in the various negotiating fora, namely: the World Trade Organisation (WTO); Economic Partnership Agreements under the Cotonou Agreement between the European Union (EU) and African, Caribbean and Pacific (ACP) countries; the Free Trade Area of the Americas (FTAA); the Association of Caribbean States (ACS); and the Caribbean Community (CARICOM).

Its main responsibilities include:

- Formulate policy governing Trinidad and Tobago's economic relations in CARICOM.

- Implement Trinidad and Tobago's trade related obligations toward the operation of the CARICOM Single Market and Economy (CSME).
- Facilitate the participation of the national community in CARICOM trade related issues.
- Facilitate Trinidad and Tobago's lead role in the pursuit of bilateral trade agreements as a member of CARICOM.
- Responsible for Trinidad and Tobago's role in the Association of Caribbean States (ACS).
- Formulate, implement and monitor Trinidad and Tobago's economic relations in trade areas such as the Andean Group, Caribbean Basin Initiative (CBI), Caribbean Basin Trade Partnership Agreement (CBTPA) and Caribbean Andean Common Market (CACM) and economic relations with non-CARICOM countries in the region.
- Represent Trinidad and Tobago in multilateral negotiations and monitor deliberations pertaining to the development of hemispheric trade rules e.g. in the Free Trade Area of the Americas (FTAA), World Trade Organisation (WTO) and the African Caribbean and Pacific/European Union (ACP/EU) Arenas.
- Liaise with the Caribbean Regional Negotiating Machinery to ensure that Trinidad and Tobago's positions with respect to the hemispheric and international trade negotiations are reflected in the regional strategies and positions.
- Represent Trinidad and Tobago in the meetings and the decision making process of the African, Caribbean and Pacific States and in deliberation with respect to the ACP-EU Agreements.
- Participate in and monitor the policies and programmes emanating from the United Nations Conference on Trade and Development (UNCTAD) and the International Trade Organization (ITO) and other international trade organization.
- Disseminate information from aforementioned organisations and trade agreements to all stakeholders.
- Participate in bilateral negotiations on economic and technical cooperation agreements.

Industrial Development and Inward Investment Division

One of the pre-requisites for becoming internationally competitive is the enhancement and expansion of the domestic industrial sector. In this regard, the Industrial Development and Inward Investment Division focuses its efforts to ensure that local businesses are up to the challenges of the new global trade and economic developments, and creates the policies and the macroeconomic framework to make this happen. Its key responsibilities include:

- Formulate industrial and investment policies which will create the framework for the expansion and strengthening of the non-oil manufacturing and service sectors.
- Coordinate, implement and revise the national macro economic policy framework relating to the promotion and development of enterprises.
- Administer the Investment Incentive Regime and the Import and Export Negative List.
- Participate in Trinidad and Tobago's international economic co-operation strategies.
- Collaborate with stakeholders and facilitate the environment for industrial development and investment promotion.
- Negotiate investment agreements with other countries to enhance Trinidad and Tobago's attractiveness as an investment location.

Import and Export Licensing Unit

Trinidad & Tobago's proactive approach to market access and investment promotion has led to a steady rise in trade and business activity over the past few years, making the operations of the Ministry's Import and Export Licensing Unit even more critical.

Brisk trade has resulted in the Unit processing an increasing number of applications for import and export licenses, as more businesses and entrepreneurs take advantage of the opportunities inherent in trade liberalization. The Unit's key functions include:

- Continuous monitoring of the operations of industry to track the progress of approved investors;

- Processing of applications for Duty Free, Import and Export Licences in accordance with rules, regulations, laws with respect to Import/Export Control Regulations 1941 and Section 56 of the Customs Act as it relates to the Third Schedule;
- Advising manufacturers and the public in general on trade matters and in particular, duty Relief facilities including CARICOM suspensions and Safeguard Certificates;
- Mediating with Manufacturers with respect to supply and quality of intermediate inputs.

The Licensing Unit of the Ministry of Trade and Industry now operates out of the Ground Floor of the TTMA Building (Trinidad & Tobago Manufacturers' Association), located at Tenth Street in Barataria, opposite the Maritime Plaza. The contact numbers for the Unit are (868) 675-8242 and (868) 674-3545; the new fax number is (868) 675-5465.

Members of the public are reminded that information on import regulations and licenses, as well as application forms, can be downloaded from the Ministry's website at: www.tradeind.gov.tt

Legal Department

The Legal Department continues to play an integral role in the implementing of the policies of the Ministry of Trade and Industry and in the creation of an effective legal framework for both domestic and international trade.

The Department works closely with every unit, department and division in the Ministry, and carries out the following functions:

- Providing legal advice on issues arising from the internal operations of the Ministry of Trade and Industry and its agencies;
- Assisting in the drafting, preparation and amendment of trade, investment and other legislation relating to the activities of the Ministry including matters such as Competition Policy, Anti-Dumping and Countervailing Remedies and Safeguard Measures;
- Researching and examining the Laws of Trinidad and Tobago for provisions that would affect the negotiating position of Trinidad and Tobago in the FTAA, WTO, CSME and Bilateral FTA context;

- Participating as representatives of Trinidad and Tobago and CARICOM in the negotiation of bilateral trade agreements (e.g. CARICOM/Costa Rica, CARICOM/Venezuela), bilateral investment treaties and in the present round of trade negotiations occurring at the international and hemispheric levels (e.g. the WTO and FTAA) when directed and required;
- Providing advice on the interpretation of bilateral trade agreements;
- Generally advising on the interpretation of International trade agreements, such as the WTO and the Cotonou Agreements
- Instructing advocate attorneys in litigation matters involving the Ministry;
- Providing legal advice to the Ministry on legislative matters.

Fair Trading / Anti-Dumping Authority

With the increasing openness of the Trinidad and Tobago economy, there is an urgent need to provide an environment which facilitates fair competition. The Fair Trading Unit in the Ministry of Trade and Industry is focussed on implementing trade remedies, in order to eliminate incidences of unfair trade practices in Trinidad and Tobago. Its primary responsibilities include:

- Researching and developing policies and programmes to ensure fair trading practices are promoted, namely, amendments to the anti-dumping legislation, competition policy and safeguard legislation.
- Conducting investigations into allegations of dumping and the subsidisation of imported goods.
- Imposing and enforcing anti-dumping or countervailing duties if investigations determine that dumping/subsidising has occurred.
- Assisting local manufacturers who are accused of similar practices by Third Countries.
- Participating in Anti-Dumping, Competition Policy and Safeguard negotiations on behalf of the Government of Trinidad and Tobago.

NOTE: The Anti-Dumping and Countervailing Duties Act (1992) affords litigants the right of access to certain information.

Monitoring and Networking Unit

The Monitoring and Networking Unit of the Ministry was set up to ensure cohesiveness between the development and implementation of trade, investment and economic policies by the various statutory bodies, state enterprises and executive agencies which fall under the purview of the Ministry of Trade and Industry. Its key responsibilities are:

- Analyse the strategic and operational plans of the statutory bodies and state enterprises with the aim of ensuring that each state agency focuses on the attainment of its developmental goals in an efficient and cost effective manner.
- Analyse the financial, managerial and budgetary reports and proposals of the state agencies to assess their profitability and make appropriate recommendations, where necessary to achieve desired objectives.
- Examine and advise on the capital and recurrent budgetary proposals of the state agencies to ensure their compliance with the macro-economic policy directives of the Government, and to advise the Minister accordingly.
- Develop, monitor and maintain systems for the effective co-ordination and integration of the activities of the Ministry and its agencies/state companies/statutory boards in order to eliminate ambivalence, duplication and wastage, and at the same time attain business synergies.

CARICOM Trade Support Programme (CTSP)

The CARICOM Trade Support Programme is a comprehensive loan facility established by the Government of Trinidad and Tobago, and under the aegis of the Ministry of Trade and Industry. It has two (2) main components:

- A revolving loan fund provided by the Government of Trinidad & Tobago in the sum of TT\$100 million to be disbursed on an interest free basis to firms in CARICOM, except those in Trinidad & Tobago.
- As part of the revolving loan fund, technical assistance funding for the procurement of the services of regional consultants, to undertake diagnostic appraisal of the operations and business development

projects of the applicant companies, and to make appropriate recommendations.

The CTSP is a fundamental element in the implementation of the CSME (CARICOM Single Market and Economy). The Programme is designed to help CARICOM States enhance their economic performance by fostering the process of diversification and improved trade capacity, through the following:

- The reduction of the imbalance in intra-regional trade, which stands in favour of Trinidad and Tobago
- The development of more efficient and competitive business enterprises through strategic alliances including joint ventures, integration of production operations etc
- Facilitating the development of existing entrepreneurs which would increase the creation of regional wealth
- The general enhancement of cooperation and collaboration between Trinidad and Tobago and its sister CARICOM States
- Facilitating the development of pan Caribbean companies

Trade Sector Support Programme Coordinating Unit

This Unit coordinates the Trade Sector Support Programme funded through an IADB Loan. The overall objective of this programme is to improve the international trade performance of Trinidad and Tobago. That goal will be met by strengthening the country's technical and institutional capacity to formulate and implement trade policy, to participate effectively in trade negotiations, to implement trade agreements, and to increase and diversify exports.

To those ends, the program's specific objectives are:

1. To improve the institutional organisation of the Ministry of Trade and Industry
2. To develop the technical capacity of human resources in trade-related public institutions
3. To improve the technical, analytical and institutional bases of trade policy-making
4. To provide support to the private sector's attempts to adjust to the challenges posed by the liberalisation of trade, thus enhancing the international competitiveness of local firms

Secretariat for the Implementation of Spanish (SIS)

As part of the thrust to integrate the local economy into the wider Latin American region, Government has embarked on an initiative to introduce Spanish as the First Foreign Language of Trinidad & Tobago. Its goals are:

1. To establish Spanish as the First Foreign Language of Trinidad and Tobago.
2. To structure a new learning environment through which citizens of Trinidad and Tobago can learn and adopt Spanish as the First Foreign Language by the year 2020.
3. Ensure that there is a clear understanding of the cultures to which our society will be exposed and the impact of their socio-political cultural values on this society so as not to erode the cultural richness of Trinidad and Tobago.
4. Ensure public 'buy-in' to the initiative of speaking Spanish as the First Foreign Language.

Support Departments

The Ministry also has other units and departments, which provide support functions. These are:

Accounting	Internal Audit
Corporate Communications	Library
Corporate Services	Management Information
Events Management	Systems
Human Resource Management	

STATUTORY BOARDS, OTHER BODIES AND STATE COMPANIES UNDER THE PURVIEW OF THE MINISTRY

Statutory Boards and Other Bodies:

- Betting Levy Board
- Trinidad and Tobago Bureau of Standards
- Trinidad and Tobago Racing Authority

Wholly-owned enterprises:

Business Development Company Limited
Export-Import Bank of Trinidad and Tobago Limited
Tourism and Industrial Development Company Limited (TIDCO)
Trinidad and Tobago Free Zones Company Limited
Evolving TecKnologies and Enterprise Development Company Limited
(eTeck) - formerly PIDCOTT

Majority-owned:

Point Lisas Industrial Port Development Corporation Limited
(PLIPDECO)
Trinidad and Tobago Export Trading Company Limited
BWIA West Indies Airways Limited

Indirectly-owned enterprises:

National Flour Mills Limited
Point Lisas Industrial Port and Wijsmuller Limited (PLIPWIJS Limited)

Effect Of Functions Of The Ministry On Members Of The Public

The Ministry of Trade and Industry is working to achieve its primary objective of positioning this country as the major Manufacturing, Transshipment and Commercial Platform in the region.

The Ministry is charged with diversifying the Non-Oil sector of the economy, and developing initiatives to create a more business and investor-friendly environment.

It seeks to secure access to regional, hemispheric and international markets for Trinidad and Tobago exporters, and maintains an aggressive marketing thrust to promote this country's exports through various trade promotion missions.

Public Participation

To secure this country's best interests in international trade negotiations, the Ministry of Trade and Industry has sought to develop sustainable links with its various stakeholders, through public/private sector Standing Committees.

The Ministry solicits feedback and encourages collaboration, to ensure a greater level of integration between the public and private sectors in policy formulation, implementation, monitoring and review. It regularly hosts public consultations with stakeholders, as it seeks to chart comprehensive strategic directions for several targeted industries, identified as the new engines for economic growth and sustainable development for Trinidad and Tobago.

SECTION 7 (1) (a) (ii)

Statement on categories of documents in the possession of the Ministry of Trade and Industry

The documents listed below relate to the work of the Ministry:

Trade/Investment agreements.

Policy documents pertaining to international trade.

Legislation.

Anti-dumping decisions.

Reports of trade negotiations and trade meetings.

Documents issued by international organisations in which Trinidad and Tobago has membership.

Documents issued by other Ministries.

Human Resource (Personnel) files.

Circulars/directives issued by the Central Human Resource Agency (Personnel Department), Director of Public Administration, and Public Management Consulting Division.

Strategic plans for the Ministry.

Strategic plans of companies under the purview of this ministry.

Financial statements and operation reports of agencies, which come under the purview of this ministry.

General Administrative Documents

Miscellaneous reports, studies and surveys.

Cabinet documents.

Section 7 (1) (a) (iii)

Material prepared for public inspection

The public may inspect and or obtain copies of the following material at:

The Library
Level 7, Riverside Plaza,
Besson Street, Port of Spain.
Tel: 624-2039
E-mail: library@tradeind.gov.tt

Opening hours: 8.00 a.m. to 4.00 p.m., Monday to Friday.

Seating arrangements for 10 persons.

Audiovisual and computer equipment are available.

A library catalogue of information is available to the public. This is comprised mainly of purchased material, which are available to the public and can be accessed by visiting the library during the hours indicated.

Information in the public domain can be accessed in the library, or by visiting our website at www.tradeind.gov.tt, or via e-mail at tradeind@tradeind.gov.tt

Section 7 (1) (a) (iv)

Literature available by subscription

At the present time this section is not applicable.

Section 7 (1) (a) (v):

Procedure to be followed when accessing a document from the Ministry of Trade and Industry

Applicants may request information via telephone, e-mail or in person. However, in order to access the rights afforded under the FOIA, **the request must be made in writing** on the official form *Request For Access To Official Documents*, for information not available in the public domain. These forms would be made available to applicants.

Requests must be addressed to the Designated Officer of the Ministry (named below).

The request must be accompanied by enough detail to facilitate locating the relevant document/s as efficiently as possible. In keeping with the provisions of the FOIA, the Designated Officer would render any assistance necessary in order to formulate the request.

If the requested documents are not those held by this Ministry, the applicant is advised to direct the request to the relevant authority.

The time frame for delivery of a document, if it exists or can be found, is established under the FOIA. If the Ministry fails to meet these deadlines, the FOIA gives applicants the right to proceed as if the request had been denied. The Ministry will diligently try to comply with the time limits, but if it appears that processing a request may take longer than the statutory limit, an applicant's request will be acknowledged and the applicant will be advised of its status. Since there is a possibility that requests may be incorrectly addressed or misrouted, an applicant may wish to call or write to confirm that the request has been received and to ascertain its status.

The Ministry will determine whether to grant your request for access to information as soon as practicable, but **no later than 30 days**, as required by Section 15 of the FOIA. If a decision is taken to grant access to the information requested, applicants will be permitted to inspect the documents or be provided with copies, if so requested, and upon payment of the relevant fees.

The FOIA Fees and Charges Regulations prescribe fees related to the search, retrieval and provision of documents. The documents will be delivered to applicants within seven days of receipt of payment of the relevant fee. The FOIA allows applicants a refund of fees paid, in addition to the requested information, if the Ministry fails to provide the information within the seven-day period.

In respect of any documents requiring a higher level of approval, the Permanent Secretary would make the decision.

SECTION 7 (1) (a) (vi)

Statement identifying Designated Officer

The designated officer for the above-mentioned Ministry is:

Mrs. Beverley-Anne M. King.
Librarian III.
Level 7, Riverside Plaza,
Besson Street,
Port of Spain.
Tel: (868) 624-2039
Fax: (868) 627-8488
E-mail: library@tradeind.gov.tt

Section 7 1 (a) (vii)

Advisory Boards, Councils, Committees, and Other Bodies (where meetings/minutes are open to the public)

Presently, there are no bodies that fall within the meaning of this Section of the FOIA.

Section 7 1 (a) (viii)

LIBRARY / Reading Room Facilities

The Library

Level 7, Riverside Plaza,

Besson Street, Port of Spain.

Tel: 624-2039

E-mail: library@tradeind.gov.tt

Opening hours: 8.00 a.m. to 4.00 p.m., Monday to Friday.

Seating arrangements for 10 persons.

Audiovisual and computer equipment are available.

Information in the public domain can be accessed in the library, or by visiting our website at www.tradeind.gov.tt.

SECTION 8 STATEMENTS

8 (1) (a) (i)

Documents containing interpretations or particulars of written laws or schemes administered by the Ministry not being particulars contained in another written law.

Legal Notice 69/1999 – Import Negative List.

Legal Notice 123/1998 – Export Negative List.

Policy Guidelines/Procedure for considering applications on the Import Negative List

Policy Guidelines for considering items on the Export Negative List.

Criteria for consideration of the import of vehicles for personal use

Part 'B' Class 1 – Finance Act #6/1993

Common External Tariff (Para. 3) Article VII of Protocol IV.

Article VIII of Protocol IV (Para 4-7)

Section 8 (1) (a) (ii)

Manuals, rules of procedure, statements of policy, records of decisions, letters of advice to persons outside the public authority, or similar documents containing rules, policies, guidelines, practices or precedents:

Guidelines for the administration of devolved functions.

Manual of terms and conditions of employment of monthly paid public officers.

Section 8 (1) (b)

In enforcing written laws or schemes administered by the public authority where a member of the public might be directly affected by that enforcement, being documents containing information on the procedures to be employed or the objectives to be pursued in the enforcement of, the written laws or schemes:

SECTION 9 STATEMENTS

Section 9 (1) (a)

A report or statement containing the advice or recommendations of a body or entity established within the public authority:

Section 9 (1) (b)

A report or statement containing the advice or recommendations of a body or entity established outside the public authority by or under a written law or A report or statement by a Minister of Government or other public authority for the purpose of submitting a report or reports, providing advice or making recommendations to the public authority or to the responsible Minister of that public authority:

Report on Concessionaires 1995-2000— TIDCO

Review of trade policy instruments and administrative practices governing the operation of the CARICOM CET and Rules of Origin — CARICOM Secretariat (April 23, 2002)

Section 9 (1) (c)

A report or statement containing the advice or recommendations of an inter-departmental committee whose membership includes an officer of the public authority:

Section 9 (1) (d)

A report or a statement containing the advice or recommendations, of a committee established within the public authority to submit a report, provide advice or make recommendations to the responsible Minister of that public authority or to another officer of the public authority who is not a member of the committee:

Section 9 (1) (e)

A report (including a report concerning the results of studies, surveys or tests) prepared for the public authority by a scientific or technical expert, whether employed within the public authority or not, including a report expressing the opinion of such an expert on scientific or technical matters:

Section 9 (1) (f)

A report prepared for the public authority by a consultant who was paid for preparing the report:

Small Business Development Programme — Draft Feasibility Study Reform of Investment Procedures.

Section 9 (1) (g)

A report prepared within the public authority and containing the results of studies, surveys or tests carried out for the purpose of assessing, or making recommendations on, the feasibility of establishing a new or proposed Government policy, programme or project:

Section 9 (1) (h)

A report on the performance or efficiency of the public authority, or of an office, division or branch of the public authority, whether the report is of a general nature or concerns a particular policy, programme or project administered by the public authority:

Section 9 (1) (i)

A report containing final plans or proposals for the re-organisation of the functions of the public authority, the establishment of a new policy, programme or project to be administered by the public authority, or the alteration of an existing policy programme or project administered by the public authority, whether or not the plans or proposals are subject to approval by an officer of the public authority, another public authority the responsible Minister of the public authority the responsible Minister of the public authority or Cabinet

*Strategic plan of the Ministry of Trade and Industry
— Ministry of Trade and Industry.*

*Enterprise Development Policy and Strategic Plan for Trinidad and Tobago
2001-2005: Forging a Competitive Economy Through Partnership
— Ministry of Enterprise Development and Foreign Affairs (July, 2001)*

Section 9 (1) (j)

A statement prepared within the public authority and containing policy directions for the drafting of legislation:

Section 9 (1) (k)

A report of a test carried out within the public authority on a product for the purpose of purchasing equipment:

Section 9 (1) (l)

An environmental impact statement prepared within the public authority:

Section 9 (1) (m)

A valuation report prepared for the public authority by a valuator, whether or not the valuator is an officer of the public authority:

Friday 11 March 2005