



# TRINIDAD AND TOBAGO GAZETTE (EXTRAORDINARY)

VOL. 45

Port-of-Spain, Trinidad, Monday 22nd May, 2006—Price \$1.00

No. 85

THE FOLLOWING HAS BEEN ISSUED:

BILL entitled “An Act to revise the law relating to bankruptcy and insolvency; to make provision for corporate and individual insolvency; to provide for the rehabilitation of the insolvent debtor and to create the office of Supervisor of Insolvency”  
—(\$14.56).

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## SUPPLEMENTS TO THIS ISSUE

THE DOCUMENTS detailed hereunder have been issued and are published as Supplements to this issue of the *Trinidad and Tobago Gazette*:

*Legal Supplement Part B*—

Petroleum Impost Rating (Variation) Order, 2006—(Legal Notice No. 102 of 2006).  
Civil Proceedings (Amendment) Rules, 2006—(Legal Notice No. 103 of 2006).

*Legal Supplement Part C*—

Bill entitled “An Act to revise the law relating to bankruptcy and insolvency; to make provision for corporate and individual insolvency; to provide for the rehabilitation of the insolvent debtor and to create the office of Supervisor of Insolvency”.

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## PUBLICATION OF BILL

NOTICE is hereby given that the following Bill is published as a Supplement to this *Trinidad and Tobago Gazette* for public information:

The Bankruptcy and Insolvency Bill, 2006.

Copies of the Bill may be purchased from the Government Printery Sales Section, 2–4, Victoria Avenue, Port-of-Spain.

J. SAMPSON-JACENT  
*Clerk of the House*

19th May, 2006.

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## APPOINTMENT TO ACT AS MINISTER OF NATIONAL SECURITY

IT IS HEREBY NOTIFIED for general information that His Excellency the President, acting in accordance with the advice of the Prime Minister, in exercise of the power vested in him by subsection (2) of section 79 of the Constitution of the Republic of Trinidad and Tobago, has appointed Mr. HOWARD CHIN LEE, a Senator, to act in the Office of Senator the Honourable MARTIN JOSEPH, Minister of National Security, with effect from 18th May, 2006 and continuing during the absence from Trinidad and Tobago of the said Senator the Honourable Martin Joseph, in addition to the discharge of his normal duties.

H. HEMNATH  
*Secretary to His Excellency  
the President*

18th May, 2006.

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## APPOINTMENT TO ACT TEMPORARILY AS A MEMBER OF THE SENATE

IT IS HEREBY NOTIFIED for general information that, under the provisions of section 40 and section 44 of the Constitution of the Republic of Trinidad and Tobago, His Excellency the President, acting in accordance with the advice of the Prime Minister, has appointed Ms. ROSE JANNEIRE, to be temporarily a Member of the Senate, with effect from 9th May, 2006 and continuing during the absence from Trinidad and Tobago of Senator KNOWLSON GIFT.

H. HEMNATH  
*Secretary to His Excellency  
the President*

8th May, 2006.

**GOVERNMENT OF THE REPUBLIC OF TRINIDAD AND TOBAGO  
PUBLIC STATEMENT OF**

***THE OFFICE OF THE PRIME MINISTER***

**IN COMPLIANCE WITH  
SECTIONS 7, 8 AND 9 OF THE FREEDOM OF INFORMATION ACT 1999 (FOIA)**

In accordance with Sections 7(1) (b) of the Freedom of Information Act, 1999 (FOIA) the Office of the Prime Minister is required by law to publish the following statements, which update the documents and information generally available to the public and last published in 2005.

The Act gives members of the public:

- (1) A legal right for each person to access information held by the Office of the Prime Minister.
- (2) A legal right for each person to have official information relating to him/herself amended where it is incomplete, incorrect or misleading.
- (3) A legal right to obtain reasons for adverse decisions made regarding an applicant's request for information under the FOIA.
- (4) A legal right to complain to the Ombudsman and to apply to the High Court for Judicial Review to challenge adverse decisions made under the FOIA.

The following information is published by the Office of the Prime Minister with the approval of the Prime Minister:

## SECTION 7 STATEMENTS

### Section 7 (1) (a) (i)

#### (1) STATEMENT OF THE FUNCTION AND STRUCTURE

The Office of the Prime Minister is located at White Hall, Maraval Road, Port of Spain.

The Office of the Prime Minister provides administrative and other support to the Prime Minister and the Cabinet and is responsible for co-ordinating the implementation of decisions taken by the Prime Minister and the Cabinet in order to ensure and promote the effective and efficient conduct of the business of Government.

The Divisions/Units that comprise the Head Office of the Office of the Prime Minister are:

- Cabinet Secretariat
- Corporate Services Division
- National AIDS Co-ordinating Committee Secretariat
- National Awards Committee Secretariat
- National Security Council Secretariat
- Public Affairs and Communications Unit
- International Relations and Protocol Unit
- Secretariat to the Committee established to hold round table discussions on race relations
- Sport and Culture Fund Secretariat
- Information Technology Unit
- Accounting Unit
- Human Resource Unit
- Internal Audit Unit

## RESPONSIBILITIES OF THE DIVISIONS/UNITS IN THE OFFICE OF THE PRIME MINISTER

### • CABINET SECRETARIAT

According to the Constitution of Trinidad and Tobago, Cabinet consists of the Prime Minister who is appointed by the President, and other Ministers (of whom one shall be the Attorney General) chosen from among the members of the House of Representatives and the Senators appointed by the President acting in accordance with the advice of the Prime Minister. The Cabinet has the general direction and control of the Government of Trinidad and Tobago and is collectively responsible to Parliament.

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The Cabinet is serviced by the Cabinet Secretariat. The Cabinet Secretariat receives submissions from all Ministers in the form of Cabinet Notes for consideration by Cabinet. The Cabinet Secretariat records the decisions and transmits them to the relevant public authorities for implementation. It also has the responsibility for monitoring the implementation of Cabinet decisions.

• **CORPORATE SERVICES DIVISION**

The Corporate Services Division is responsible for the delivery of support services to the Office of the Prime Minister. The Division treats with accommodation, registry, records management, inventory management, security and maintenance. The Division also has supervisory oversight of the Human Resources Unit and the Accounting Unit.

• **NATIONAL AIDS CO-ORDINATING COMMITTEE SECRETARIAT**

The National AIDS Co-ordinating Committee Secretariat was established to:

- Take a lead role in policy development, strategic planning and management of the national response to the epidemic, ensuring that said response is effective and efficient and in keeping with national, regional and international HIV/AIDS and development goals and/or indicators
- Within the framework of the national HIV/AIDS strategic plan, facilitate a coordinated and effective response to the epidemic – across and within all sectors and disciplines and at all levels of the society, from high level government and administrative leadership to effective community involvement
- Mobilise financial and technical resources for the national HIV/AIDS response
- Monitor the allocation and utilization of all resources assigned to the HIV/AIDS response
- Monitor and evaluate the implementation of national HIV/AIDS strategies and programmes to ensure that they are effective in reducing the epidemic and its impact on Trinidad and Tobago
- Keep the NACC abreast of current and relevant information so as to facilitate informed, effective decision making and actions vis-à-vis the management of HIV/AIDS in Trinidad and Tobago

• **NATIONAL AWARDS SECRETARIAT**

The National Awards Committee was established by the 1969 Constitution of the Order of the Trinity to select persons nominated by members of the public, deemed suitable for National Awards based on selection criteria.

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The National Award Committee Secretariat is responsible for the annual advertisement of the awards, collating of the nominations and submission to the National Awards Committee.

Any person or organization may submit to the National Awards Committee, for its consideration, a nomination for an award of the Trinity Cross, the Chaconia Medal, the Hummingbird Medal or the Medal of Merit.

• **NATIONAL SECURITY COUNCIL SECRETARIAT**

The National Security Council consists of the Prime Minister as Chairman, the Attorney General, the Minister of National Security and one other Minister appointed at the discretion of the Prime Minister to monitor matters of defence and national security. The Secretariat comprises the staff employed to assist the Council in the execution of its duties.

• **PUBLIC AFFAIRS AND COMMUNICATIONS UNIT**

This Unit develops and implements strategies for communicating the activities of the Prime Minister and the Office of the Prime Minister to the media, general public and other target audiences. It also handles all public relations, including enquiries from the general public, requests for interviews and meetings.

• **INTERNATIONAL RELATIONS AND PROTOCOL UNIT**

This Unit provides protocol services for the Prime Minister. It also provides advice on issues relating to the foreign relations of Trinidad and Tobago in collaboration with the Ministry of Foreign Affairs.

• **SECRETARIAT TO THE COMMITTEE ESTABLISHED TO HOLD ROUND TABLE DISCUSSIONS ON RACE RELATIONS**

The Committee was established to hold round table discussions with a view to fostering racial harmony between the two major ethnic groups in Trinidad and Tobago. The Secretariat records and prepares minutes of the meetings of the Committee and performs related research activities.

• **SPORT AND CULTURE FUND SECRETARIAT**

The Sport and Culture Fund, established by the Sport and Culture Fund Act No. 31 of 1988, as amended by Act No. 25 of 1993, is available to all *bona fide* sport and cultural groups in communities in Trinidad and Tobago. Assistance is given in the form of grants and loans.

The Board established by the Act determines the eligibility of individuals and groups.

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The Secretariat receives all requests which are to be submitted on application forms addressed to the Secretary of the Sport and Culture Fund, Office of the Prime Minister, White Hall, and, where applicable, these are to be made with the consent of the umbrella organization.

Applicants should submit annual reports, budget statements and proof of having made attempts at being self-sufficient. The applications are submitted to the Board for consideration at its monthly meetings.

- **INFORMATION TECHNOLOGY UNIT**

The Information Technology Unit is responsible for the planning, operation and management of the information system services and network facilities, including local area networks and peripheral systems, of the Office of the Prime Minister.

- **ACCOUNTING UNIT**

The main function of the Accounting Unit is to ensure that expenditure is met in keeping with estimates, project plans and financial regulations. It also has the responsibility for maintaining the accounting records of the Office of the Prime Minister in proper order.

- **HUMAN RESOURCE UNIT**

The main function of this Unit is to establish and maintain a system of human resource management in the Office of the Prime Minister. It also has the responsibility to improve the human resource management services and to implement the performance management system in the Office of the Prime Minister.

- **INTERNAL AUDIT**

This Unit provides management with information about the adequacy and effectiveness of the organization's system of internal control.

### Section 7 (1) (a) (ii)

#### Categories of Documents in the possession of the Head Office, Office of the Prime Minister

1. Files dealing with administrative support and general administrative documents for the operations of the Office of the Prime Minister
2. Personnel files, which detail all staff appointments, job applications, job specifications, promotions, transfers, deaths, retirements, leave, vacation, etc
3. Files dealing with the accounting and financial management function of the Office of the Prime Minister

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4. Cabinet documents
5. Internal and external correspondence files
6. Documents relating to strategic review of the Office of the Prime Minister
7. Legislation and Legal Instruments
8. Minutes/Agenda of meetings
9. Files dealing with circulars, memoranda, notices, bulletins
10. Files dealing with official functions, conferences and events hosted and attended by the Office of the Prime Minister
11. Files dealing with complaints
12. Files with speeches, messages and addresses
13. Newspaper clippings and periodicals
14. Financial records—cheques, vouchers, receipts, journals
15. Files dealing with matters relating to the procurement of supplies, services and equipment

### Section 7 (1) (a) (iii)

#### Material prepared for publication or inspection

1. A guide to the Sport and Culture Fund
2. National HIV/AIDS Strategic Plan 2004-2008
3. NACC HIV/AIDS Bulletins
4. Directory of Government Services

### Section 7 (1) (a) (iv)

#### Literature available by subscription

There is no literature available by subscription

### Section 7 (1) (a) (v)

#### Procedure to be followed when accessing a document from the Office of the Prime Minister

##### How to Request Information

- *General Procedure*

The Policy of the Office of the Prime Minister is to respond to all requests for information both oral and written. However, in order to exercise the rights conferred by the FOIA (for example, the right to challenge a decision if a request for information is refused) requests must be made in writing. In order to access information that is not readily available in the public domain, an application must be completed on the appropriate form "*Request for Access to Official Documents*" available from the Office of the Prime Minister or any public authority.

- *Addressing Requests*

To facilitate prompt handling of a request, such a request must be addressed to the Designated Officer of the Office of the Prime Minister.

- *Details in Request*

Applicants should provide details that will allow for ready identification and location of the records that are being requested. If insufficient information is provided clarification will be sought from the applicant. If the applicant is uncertain as to the details to be included he/she should communicate with the Designated Officer.

##### Requests not handled under the FOIA

- A request under the FOIA will not be processed to the extent that it asks for information that is readily available to the public, either from this Office or from another public authority.

### Responding to your Request

- *Retrieving Document*

The Office of the Prime Minister is required to furnish only copies of documents in its possession or which can be retrieved from storage, either in the National Archives or another storage centre.

Prior to the commencement of the Freedom of Information Act, 1999, old records may have been destroyed. The granting of a request for such documents may therefore be impossible. (Various laws and regulations give the time periods for keeping records before they may be destroyed).

- *Furnishing Documents*

An applicant is entitled to copies of information in our possession, custody or power. The Office of the Prime Minister is required to furnish only one copy of a document. If a legible copy of a document is not possible the Office of the Prime Minister may not attempt to reconstruct it. Instead, the best copy possible will be furnished and an indication of its quality will be mentioned in our reply.

Please note that the Office of the Prime Minister is not compelled to do the following:

- (a) Create new documents
- (b) Perform research for the applicant

### Time Limits

- *General*

The Office of the Prime Minister will determine whether a request for access to information will be granted as soon as is practicable but no later than 30 days after the request has been made, as required by Section 15 of the FOIA.

If a decision is taken to grant access to the information requested, the applicant will be permitted to inspect the documents or be provided with copies, if so requested. If it appears that processing the request may take longer than the statutory limit, the Office of the Prime Minister will acknowledge the request and advise the applicant of its status. Since there is a possibility that requests may be incorrectly addressed or misdirected, the applicant may wish to call or write to confirm that we have received the request and to ascertain its status.

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### Section 7 (1) (a) (vi)

Officers in the Office of the Prime Minister are responsible for:

1. the initial receipt of an action upon notices under Section 10;
2. requests for access to documents under Section 13; and
3. applications for correction of personal information under Section 36 of the FOIA.

The Designated Officer is Mr Francis Watty, Administrative Officer IV.

The Alternate Officer is Mrs Brenda Scott-Pedro, Acting Administrative Officer II.

Address: Office of the Prime Minister  
White Hall  
Maraval Road  
Port of Spain

Tel: 622-1625

Fax: 622-1132

### Section 7 (1) (a) (vii)

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

This Section is not applicable at this time.

## SECTION 8 STATEMENTS

### Section 8 (1) (a) (i)

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

- Laws of the Republic of Trinidad and Tobago
- Gazette material
- Financial Regulations - Exchequer and Audit Ordinance

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- Financial Instructions
- Civil Service Regulations, as amended
- Public Service Commission (Amendment) Regulations

#### 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.

- The National HIV/AIDS Strategic Plan
- Personnel Department –  
Guidelines for the Administration of the Devolved Functions
- Personnel Department  
Manual of Terms and Conditions of Service
- Service Commissions Department  
Manual of Guidelines and Procedures for the Exercise of Delegated Powers
- Personnel Department -  
Shaping performance – A manual for Performance Management in the Public Service
- Ministry of Public Administration and Information –  
Training Policy for the Public Service of Trinidad and Tobago
- Training Policy Guidelines
- Circular Memoranda

#### 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.

- A Guide to the Sport and Culture Fund

## SECTION 9 STATEMENTS

### Section 9 (1) (a)-(g) and (i)-(m)

- There are no statements to be published under these subsections at this time.

### 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.

- A review of White Hall prepared by the University of the West Indies, Institute of Business
- Organization Development and Management Division Report on the Restructuring of the Office of the Prime Minister