



# TRINIDAD AND TOBAGO GAZETTE (EXTRAORDINARY)

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## APPOINTMENT OF MEMBERS TO THE NATIONAL LOTTERIES CONTROL BOARD

IN ACCORDANCE with the provisions of section 3(5) of the National Lotteries Act, Chap. 21:04, the public is notified for general information that the Minister of Finance has appointed the following persons to the National Lotteries Control Board for a period of three (3) years as follows:

MR. LOUIS LEE SINGH—Chairman for a period of three (3) years with effect from January 25, 2006.

MS. LYNDSEY A. D. PARMASHWAR—Member for a period of three (3) years with effect from January 25, 2006.

MS. CHERRYL GUIDE—Member for a period of three (3) years with effect from January 25, 2006.

MR. CARL GROOME—Member for a period of three (3) years with effect from January 25, 2006.

MR. ALPHIE SKERRETTE—Member for a period of three (3) years with effect from February 22, 2006.

B. SYLVESTER  
*Acting Permanent Secretary,  
Ministry of Finance*

24th February, 2006.

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## REPUBLIC OF TRINIDAD AND TOBAGO

IN THE SUPREME COURT

In the Estate of

DANNY MARAJH also called DYANNY MAHARAJ also called DANNY MAHARAJ—*Deceased*

late of No. 1 Roland Cleveland Street, Malabar, Arima, Trinidad

Pensioner, who died on the 28th day of January, 2006, at No. 1 Roland Cleveland Street, Malabar, Arima, Trinidad

NOTICE is hereby given that creditors and other persons having claims against, or interest in the Estate of the above-named deceased should give notice in writing of same to M. G. Daly and Partners, of No. 115A Abercromby Street, Port-of-Spain, who are Attorneys-at-law for RBTT Trust Limited, the Executor and Trustee, not later than twenty-eight (28) days from the date of this advertisement, after which date the said RBTT Trust Limited intends to distribute the Estate of the deceased among the parties entitled thereto having regard only to the claims of which notice has been received by the said Attorney-at-law.

Dated this 16th day of February, 2006.

JO-ANNE JULIEN  
M. G. DALY & PARTNERS,  
*Attorneys-at-law for RBTT Trust Limited  
the Executor and Trustee of the Estate of  
Danny Marajh also called Dyanny Maharaj  
also called Danny Maharaj*

**PUBLIC STATEMENT**

**OF**

**THE INDUSTRIAL COURT OF TRINIDAD AND TOBAGO**

In compliance with Sections 7,8 and 9 of The Freedom of Information Act, 1999 (FOIA)

(Updated)

**Government of the Republic of Trinidad and Tobago**  
**Public Statement of The Industrial Court of Trinidad and Tobago**  
**In Compliance with sections 7, 8 and 9 of**  
**The Freedom of Information Act (FOIA) 1999**

In accordance with Sections 7, 8 and 9 of the Freedom of Information Act, 1999 (FOIA) **The Industrial Court of Trinidad and Tobago** is required by law to publish the following statements which list the documents and information generally available to the public.

The Act gives members of the public:

- (1) A legal right for each person to access information held by the Industrial Court;
- (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.

#### Section 7 Statements

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

##### **Function and structure of the Industrial Court**

###### Mission Statement:

The Industrial Court's mission is to be an efficient and independent organization dispensing social justice, setting standards for management and labour jurisprudence, promoting industrial peace and contributing to the total development of Trinidad and Tobago.

The Industrial Court was established on March 20<sup>th</sup>, 1965 by section 5(1) of the Industrial Stabilisation Act. This act was repealed and replaced by the Industrial Relations Act, Chapter 88:01 on July 31<sup>st</sup> 1972. The Industrial Court is a superior court of record. As a superior court of record it has a status that is equivalent to that of the High Court of Justice. It is a specialised court with its own peculiar jurisdiction. It is responsible for dispensing social justice.

The principal role of the Court is to settle unresolved disputes and other matters which arise between employers and trade unions representing the workers employed by the employers under the Industrial Relations Act, Chapter 88:01 (I.R.A.), the Retrenchment and Severance Benefits

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Act, No. 32 of 1985, the Maternity Protection Act, No. 4 of 1998 and the Minimum Wages (Amendment) Act, No. 11 of 2000.

The Court consists of –

- a) A President of the Court who may be either:
  - i) A Judge of the Supreme Court of Judicature designated, with his consent, by the President of Trinidad and Tobago after consultation with the Chief Justice; or
  - ii) A person who has the qualification (age excepted) to be appointed a Judge of the Supreme Court of Judicature and is appointed by the President of Trinidad and Tobago after consultation with the Chief Justice.
- b) A Vice-President of the Court, who shall be a barrister or solicitor of not less than ten years standing, appointed by the President of Trinidad and Tobago;
- c) Such number of other members as may be determined by the President of Trinidad and Tobago from time to time who shall be appointed by the President of Trinidad and Tobago from among persons experienced in industrial relations or qualified as economists or accountants, or who are barristers or solicitors of not less than five years standing.

The Court sits in two Divisions:

- a) The General Services Division which exercises the jurisdiction of the Court as set out in section 7 of the Industrial Relations Act, Chapter 88:01 with respect to services other than essential services ; and
- b) The Essential Services Division which exercises the jurisdiction of the Court as set out in section 7 of the Industrial Relations Act, Chapter 88:01 with respect of essential services.

The Special Tribunal established by the Civil Service Act, Chapter 23:01 hears and determines disputes in the Civil Service, the Police Service, the Fire Service, the Prison Service, the Teaching Service, the Supplemental Police and Central Bank.

In addition to its inherent powers as a superior court of record, the Court has jurisdiction

- a) to hear and determine trade disputes;
- b) to register collective agreements and to hear and determine matters relating to the registration of such agreements;
- c) to enjoin a trade union or other organization or workers or other persons or an employer from taking or continuing industrial action;
- d) to hear and determine proceedings for industrial relations offences under this Act;
- e) to hear and determine any other matter brought before it, pursuant to the Act.

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The current Judges of the Court are:

H.H. Mr. Cecil Bernard	-	President
H.H. Mr. Gregory Baker	-	Vice-President
H.H. Mrs. Eleanor Donaldson-Honeywell	-	Chairman, Essential Services Division

#### MEMBERS – ESSENTIAL SERVICES DIVISION

H.H. Mr. Vernon Ashby  
H.H. Mrs. Judy Rajkumar-Gualbance  
H.H. Mrs. Victoria Harrigin

#### MEMBERS – GENERAL SERVICES DIVISION

H.H. Mr. Albert Aberdeen  
H.H. Mr. Patrick Rabathaly  
H.H. Mr. Ramchand Lutchmedial  
H.H. Mrs. Sandra Ramparas  
H.H. Ms. Bindimattie Mahabir  
H.H. Mr. Herbert Soverall  
H.H. Mrs. Lenore Harris  
H.H. Mrs. Ruby Thompson-Boddie  
H.H. Mr. Augustus Ramnkersingh  
H.H. Mrs. Deborah Thomas-Felix  
H.H. Mr. Gregory Rousseau  
H.H. Mrs. Heather Scale  
H.H. Mrs. Yvette Simon

The Court also has a Registrar and other public officers who are required to provide the necessary support services for the smooth, effective and efficient performance of the Court's work.

Section 82(i) of the Industrial Relations Act establishes the Office of Economic and Industrial Research which has the following functions:

- a) to collect and compile in accordance with the directions of the Court, information which may be of assistance to the Court in the exercise of its powers and functions under the Act;
- b) to keep information as collected and compiled up-to-date; and
- c) to carry out research in respect of such matters as the Court may direct.

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Section 82 (3) stipulates that:

- (3) Information collected and compiled and the results of research carried out, under this section shall be furnished to any person, trade union or other organization desiring to obtain that information or those results.

### **Effect of functions on members of the public**

The work of the Court impacts directly on members of the public. The Court in its decisions lays down key principles and guidelines for the conduct of good industrial relations thus setting the climate for industrial stability.

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

#### **Categories of Documents in the possession of the Industrial Court:**

1. Files dealing with administrative support and general administrative documents for the operations of the Industrial Court.
2. Personnel files, which detail all staff appointments, job applications, job specifications, promotions, transfers, resignations, deaths, retirements, leave, vacation etc.
3. Files dealing with the accounting and financial management function of the Industrial Court.
4. Financial Records (cheques, vouchers, receipts, journals etc.).
5. Files dealing with matters relating to the procurement of supplies, services and equipment.
6. Internal and External correspondence files.
7. Legislation and Legal Instruments.
8. Files dealing with Circulars, memoranda, notices, bulletins, etc.
9. Legislation and other legal instruments (Laws of TT, Gazettes and subsidiary legislation)
10. Registry files dealing with all trade disputes, industrial relations offences, essential services disputes, Retrenchment and Severance Benefits Disputes, Maternity Protection Disputes, Minimum Wages Disputes, applications for interpretations, interim decisions, injunctions, hearings de novo, etc. These files contain notes of evidence and arguments particular to the dispute.
11. Court decisions 1965 – present
12. Local newspaper clippings on commentary on the Court, industrial relations, labour, trade unions, employment conditions, public sector policies.

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13. Research notes produced by the Office of Economic and Industrial Research.
14. Registered collective agreements; registered memorandum of agreements.
15. Verbatim notes of evidence.
16. ILO reports, law reports, books and periodicals on industrial relations, employment, trade unions, management, economics and other peripheral subjects.

**Section 7(1)(a)(iii)**

**Material prepared for publication or inspection**

The public may inspect and/or obtain copies of the following material between the hours of 8 a.m. to 4 pm on normal working days at:

The Library  
Industrial Court of Trinidad and Tobago  
Cor. Queen and St. Vincent Streets, P.O.S.  
Tel: 623-1304-8 exts. 2274-77  
Fax: 623-6179

- Judgments of the Court from 1965 – present
- Annual bound volumes of Industrial Court Judgments. Presently available are volumes for years 1991, 1994, 1995, 1996 & 1997. Cost per volume is \$600.00.
- Labour legislation (I.R.A., R.S.B. Act, Minimum Wages Legislation, Maternity Protection Act). Cost per set is \$30.00.

The public can refer to the catalogue located in the Library for details on Court judgments.

The public may also inspect and/or obtain copies of the following material between the hours of 8.00 a.m to 4.00 p.m. on normal working days at:

The Office of Economic and Industrial Research  
Tel: 623-1304-8 exts. 2296, 2301-4

- Registered collective agreements
- Research notes on economic and industrial relations data.

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

#### **Literature available by subscription**

Members of the public may subscribe for the following material:

- Current year's judgments - - quarterly subscription. Cost varies per quarter depending on the number of pages per judgment. Requests to be made in writing to:

The Librarian  
Industrial Court of Trinidad and Tobago  
St. Vincent St., P.O.S.  
Tel: 623-1304-8 ext. 2274-77

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

#### **Procedure to be followed when accessing a document from the Industrial Court**

How to Request Information:

- **General Procedure**

Our policy is to answer all requests, both oral and written, for information. However, in order to have the rights given to you by the FOIA (for example the right to challenge a decision if your request for information is refused), you must make your request in writing. The applicant must, therefore, complete the appropriate form (*Request for Access to Official Documents*) available in our **Library/Registry**, for information that is not readily available in the public domain.

- *Addressing Requests:*

To facilitate prompt handling of your request, please address it to the Designated Officer of the Industrial Court (**see Section 7(1)(a) (vi)**).

- *Details in the 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 you are not sure how to write your request or what details to include, communicate with our 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, which is currently available in the public domain, either from this Court or from another public authority, for example brochures and pamphlets etc.

#### Responding to your Request

- *Retrieving Documents:*

The Industrial Court is required to furnish copies of documents only when they are in our possession or where we can retrieve them from storage. Information stored in the National Archives or another storage center, will be retrieved in order to process your request.



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**NOTE:** 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, regulations and manuals give the time periods for keeping records before they may be destroyed. For example, The Exchequer and Audit Act, Chap. 69:01.

▪ *Furnishing Documents:*

An applicant is entitled to copies of information we have in our possession, custody or power. We are required to furnish only one copy of a document. If we cannot make a legible copy of a document to be released, we may not attempt to reconstruct it. Instead, we will furnish the best copy possible and note its quality in our reply.

Please note we are not compelled to do the following:

- (a) Create new documents. For example, we are not required to write a new program so that a computer will print information in the format you prefer.
- (b) Perform research for you.

#### Time Limits

##### General

The FOIA sets certain time limits for us to decide whether to disclose the documents you have requested. If we fail to meet the deadlines, the FOIA gives you the right to proceed as if your request has been denied. We will try diligently to comply with the time limits, but if it appears that processing your request may take longer than the statutory limit, we will acknowledge your request and advise you of its status. Since there is a possibility that requests may be misaddressed or misrouted, you may wish to call or write to confirm that we have received the request and to ascertain its status.

▪ **Time Allowed**

We 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, you will be permitted to inspect the documents or be provided with copies, if you so request.

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**Section 7 (1) (a) (vi)**

**Officers in the Industrial Court responsible for:**

- (1) The initial receipt of and action upon notices under section 10
- (2) Requests for access to documents under section 13 and
- (3) Applications for corrections of Personal Information under section 36 of the FOIA.

**The Designated Officer(s) is/are:**

Lucyanna Moy Hing, Librarian III,  
2<sup>nd</sup> Floor  
Industrial Court of Trinidad and Tobago  
Tel: 623-1304-8, ext. 2277

**The Alternate Officer (s) is/are:**

Ms. Verna Mc Ewen, Ag. Clerk III  
Human Resource Unit,  
4<sup>th</sup> Floor  
Industrial Court.

**Section 7 (1) (a) (vii)**

This section is not applicable to the Court.

**Section 7 (1) (a) (viii)**

**Library/Reading Room Facilities**

Information in the public domain can be accessed in our Library. You may make general enquiries to our Librarian/Library Staff at 623-1304-8 ext. 2274-77.

The Library is located on the second floor of the Industrial Court Building. The Library is open to the public from Mondays to Fridays between the hours of 8 a.m to 4 p.m.

**Policy of the Industrial Court for provision of copies of documents held in the public domain**

- Small charges for photocopies
- No bags allowed in the Library
- No smoking, eating or drinking is allowed in the Library
- Cell phones to be kept on mute mode

**Section 8 Statements**

**Section 8 (1) (a) (i)**

This section is not applicable.

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**Section 8 (1) (a) (ii)**

Manuals, rules of procedure, statements of policy, records of decisions, letters of advice to persons outside the Industrial Court, or similar documents containing rules, policies, guidelines, practices or precedents.

Not applicable

**Section 8 (1) (b)**

In enforcing written laws or schemes administered by the Industrial Court 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.

Not applicable

**Section 9**

This section is not applicable.

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## LICENSING SESSION

## ARIMA

THE UNDERMENTIONED Applications are listed for consideration by the Liquor Licence Committee, Arima, for the issue of Certificates for New Licences on Tuesday 14th day of March, 2006 at 9.00 a.m. in the forenoon at the Arima Magistrate's Court, in accordance with the provisions of the Liquor Licences Act, Chap. 84.10.

<i>Name of Applicant</i>	<i>Occupation</i>	<i>Abode of Applicant</i>	<i>Premises where Situate</i>	<i>Term of Licence</i>
<b>Spirit Retailer's</b>				
Albert Le Blanc	Businessman	152, Tumpuna Road Arima	152, Tumpuna Road Arima	From 1st April, 2006 to 31st March, 2007
Mohan Gopee	Proprietor	278, Eastern Main Road El Dorado Tacarigua	39, Seecharan Street Cane Farm Tacarigua	do.
<b>Special Restaurant</b>				
Annette Briggs	Proprietor	Seejagath Trace Tumpuna Road Arima	131, Tumpuna Road Arima	do.
Matthew Homer	Self-Employed	199, North Star Avenue Phase II, Malabar Arima	33B, Pro Queen Street Arima	do.
Natasha Navas	Secretary	54, Bon Air West Arouca	Light Pole No. 16 67, Malabar Road Arima	do.
Eric Peter Dennis	Proprietor	3, Olton Road Arima	Corner Broadway and Queen Streets Arima	do.
<b>Spirit Grocer's</b>				
Darrem Pablo	Proprietor	Arena Junction San Raphael	Arena Junction San Raphael	do.
Beverly Roach	Housewife	24B, Teak Drive N.U.G.F.W., Lopinot Arouca	255, Eastern Main Road Garden Village Arouca	do.
Jenny Self	Housewife	30, Longden Street Arima	30, Longden Street Arima	do.
Carmelitta Mc Guirk	Proprietor	Lot 771, Blue Mussel Street Bon Air West Arouca	Lot 771, Blue Mussel Street Bon Air West Arouca	do.
Ezora Francis	Housewife	82, Tumpuna Road Arima	Corner Banyan Boulevard and 13, Malabar Road Extension Arima	do.

Dated this 21st day of February, 2006.

R. SADHU  
Secretary, Licensing Committee,  
St. George East  
Arima