



# TRINIDAD AND TOBAGO GAZETTE

## (EXTRAORDINARY)

VOL. 46

Port-of-Spain, Trinidad, Wednesday 10th October, 2007—Price \$1.00

No. 171

1880

### UPDATED PUBLIC STATEMENT

of

### MINISTRY OF TOURISM

#### IN COMPLIANCE WITH SECTION 7 OF THE FREEDOM OF INFORMATION ACT (FOIA) 1999

In accordance with Section 7 of the Freedom of Information Act, 1999 (FOIA) the Ministry of Tourism is required by law to publish the following statement which lists the documents and information generally available to the public.

The Act gives members of the public:

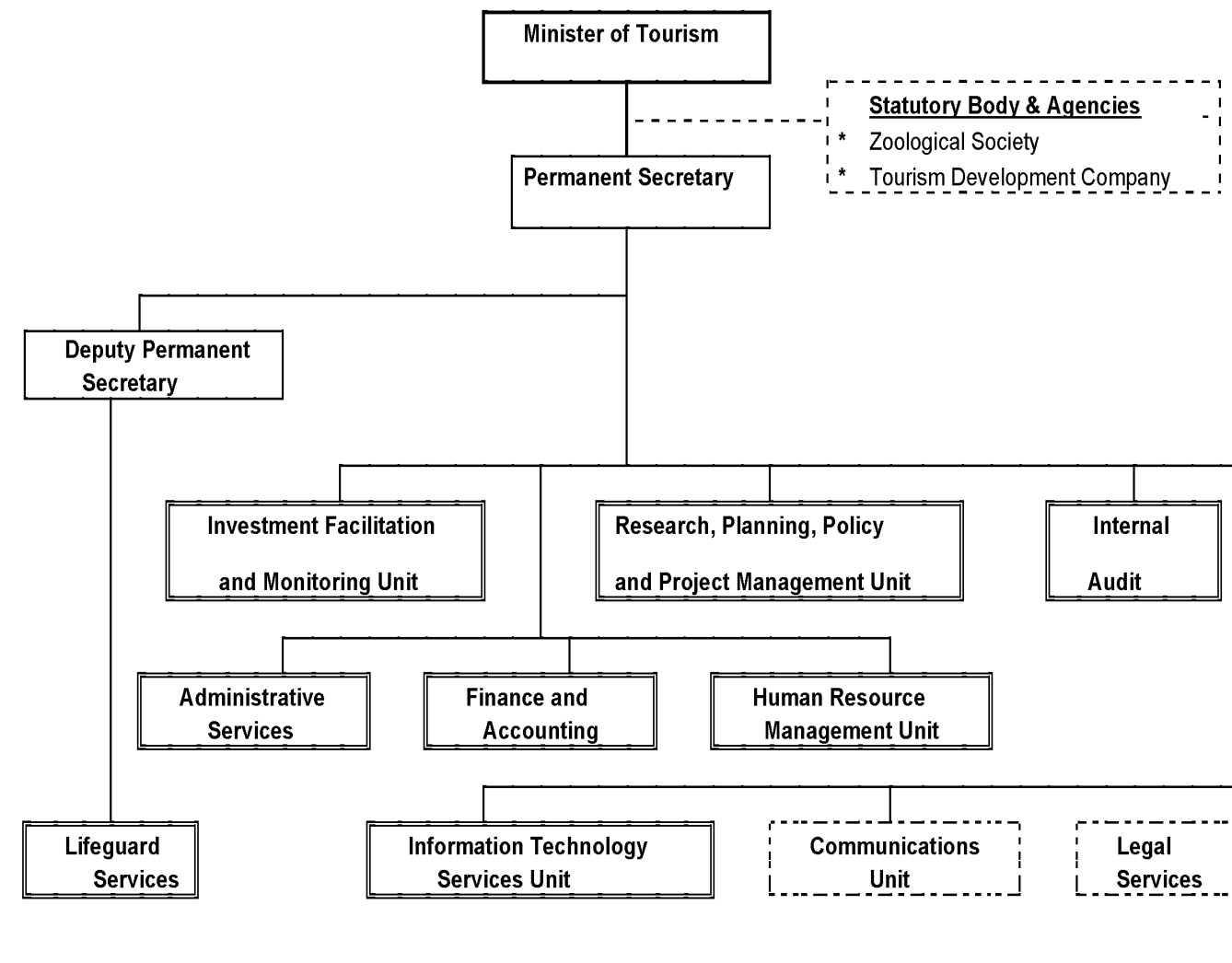
- (1) A legal right for each person to access official documents (with exemptions) held by the **Ministry of Tourism**
- (2) A legal right for each person to have official information relating to him/herself amended where it is incomplete, incorrect or misleading;
- (3) A legal right to obtain reasons 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 (1) (a) (i)**

##### **Function and structure of the Ministry of Tourism**

The Ministry of Tourism's **mission** is to formulate tourism policy and strategy and to guide, regulate, oversee and foster the sustainable development and promotion of the tourism sector through effective public, private and community partnerships, so as to enhance its contribution to the economic and social progress of Trinidad and Tobago.

The Ministry of Tourism was established on 10<sup>th</sup> November 2003. It comprises a staff of 65 Established Officers, 13 Contract Officers and 171 Daily-Rated Workers and is headed by Senator the Honorable Howard Chin Lee, Minister of Tourism. The Ministry of Tourism is divided into 13 responsibility centers as depicted in the following Organizational Chart:

**Section 7 (1) (a) (ii)****Categories of Documents in the possession of the Ministry of Tourism:**

**The official documents in the Ministry of Tourism relates to a diverse range of government policy matters, administration and other matters that fall under the scope of the responsibilities of the Ministry. These documents include:**

1. Files dealing with administrative support and general administrative documents for the operations of the Ministry of Tourism,
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 Ministry of Tourism.
4. Financial Records (cheques, vouchers, vote books, pay records, etc)

5. Files dealing with matters relating to the procurement of supplies, services and equipment.
6. Cabinet Documents.
7. Maps/Charts/Photographs/Compact Discs/ Diskettes/Tapes/Catalogues/Forms,
8. News Releases and speeches,
9. Policy and Procedure Documents.
10. Registers of Internal and External correspondence files.
11. Customer Investment files,
12. Legislation and Legal Instruments
13. Reports - Statistical, Annual/quarterly, Audit, Consultants'/ Technical, Valuation, Accident etc.
14. Books, booklets, leaflets, pamphlets, brochures, newspaper clippings and posters, periodicals and publications,
15. Files dealing with training – local and foreign and technical co-operation,
16. Files dealing with Circulars, memoranda, notices, bulletins, etc
17. Files dealing with official functions, conferences and events hosted and attended by officials of the Ministry of Tourism,
18. Inventories and Listings
19. Files dealing with Tourism Product Development

**Section 7 (1) (a) (iii)****Material prepared for publication or inspection**

The public may inspect and/or obtain copies of the following material on Tuesdays and Thursdays between the hours of 9:00 a.m to 4:00 p.m. respectively.

- Water Safety Tips and other Brochures,
- Tourism Wrap Up
- Reports, guidelines and publications on tourism related matters
- Investment Incentives in the Tourism Sector

Inspection of the above mentioned documents may take place at, the Ministry of Tourism's office located at Clarence House, 127-129 Duke Street, Port of Spain. We can be contacted via:

Telephone: 624-1403

Fax: 625-0437

E-mail: [mintourism@tourism.gov.tt](mailto:mintourism@tourism.gov.tt)

**Section 7 (1) (a) (iv)****Literature available by subscription**

We currently have no material available for subscription

**Section 7 (1) (a) (v)****Procedure to be followed when accessing a document from the Ministry of Tourism**

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 official documents is refused), **you must make your request in writing**. The applicant must, therefore, complete the appropriate form (*Request for Access*

to *Official Documents* which is available from the Designated Officer of the Ministry of Tourism) for information that is not readily available to the public.

#### § *Addressing Requests*

To facilitate prompt handling of your request, please address it to the Designated Officer of the Ministry of Tourism **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 readily available to the public, either from this Ministry or from another public authority, for example brochures , pamphlets , reports etc.

#### **Responding to your Request:**

##### § *Retrieving Documents*

The Ministry of Tourism is required to furnish copies of official documents only when they are in our possession or 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.

#### **N.B.**

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 a time limit of thirty (30) calendar days for determination of your request for access to documents. If we fail to meet this deadline, the FOIA gives you the right to proceed as though your request has been denied. We will try diligently to comply with the time limit. 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

1880—Continued

possibility that requests may be incorrectly addressed or misdirected, 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 and/or be provided with copies.

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

**Officers in the Ministry of Tourism 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 is:**

Job Title: Administrative Officer IV

Name: Ms. Marcelle Edwards

Address (work): Clarence House, 127-129 Duke Street, Port of Spain

Telephone Number: 624-1403/4792/ 3151 (X 238)

Fax numbers: 625-0437

#### **The Alternate Officer is:**

Job Title: Administrative Officer 11

Name: Mark John

Address (work): Clarence House, 127-129 Duke Street, Port of Spain

Telephone Number: 624-1403/4792/ 3151 (X 239)

Fax numbers: 625-0437

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

**Advisory Boards, Councils, Committees, and other bodies**

**(Where meetings/minutes are open to the public)**

***At the present time there are no bodies in the Ministry of Tourism that fall within the meaning of this section of the FOIA***

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

##### **Library/Reading Room Facilities**

You may make general enquiries to our Designated Officer or Alternate Officer. The Ministry of Tourism does not have a formal Library but a Reading Room facility is available in the Training Room on Level 11, Ministry of Tourism, Clarence House, 127-129 Duke Street, Port of Spain.

The Reading Room facility is open to members of the public on Tuesdays and Thursdays between the hours of 9:00a.m to 4:00p.m.

**Policy of the Ministry of Tourism for provision of copies of documents that are readily available to the public. Examples:**

§ Provision of documents may be subject to a charge to cover administrative costs.

§ No smoking, eating or drinking is allowed in the Reading Room facility

---

**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:***

1. The Tourism Development Act, 2000. Act No. 9 of 2000.
2. Tourism Development (Amendment) Act, 2005. Act No. 20 of 2005.
3. Tourism & Industrial Development Company of Trinidad and Tobago Limited Vesting Act, 1995. No. 4 of 1995.
4. The Caribbean Community (Removal of Restrictions) Act, No.2 of 2005
5. Tourism Development (Amendment) Act No. 16 of 2006
6. Finance Act 2006. Act No. 2 of 2006.
7. Freedom of Information Act, 1999
8. Judicial Review Act
9. The Revised Treaty of Chaguaramas
10. Civil Service Regulations 1967
11. Exchequer and Audit Act
12. Income Tax Act Chapter 75:01
13. The Corporation Tax Act, Chapter 75:02
14. Pensions Act
15. Public Service Commission Regulations 1966
16. Workmen's Compensation Act
17. Occupational Safety and Health
18. The Customs Act, Chapter 78:01
19. The Fiscal Incentives Act, Chapter 85:01
20. Laws of the Republic of Trinidad and Tobago

**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.***

1. Policies and procedures documents
2. Handbooks, manuals
3. Internal directives
4. Strategic Plans

**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.***

There are no statements to be published under this subsection at this time.

---

**Section 9 Statements**

---

**Section 9 (1) (a)**

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

There are no statements to be published under this subsection at this time.

**Section 9 (1) (b)**

***A report or a statement containing the advice or recommendations, (1) of a body or entity established outside the public authority by or under a written law, (2) or 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.***

There are no statements to be published under this subsection at this time.

**Section 9 (1) (c)**

***A report or a statement containing the advice or recommendation, of an interdepartmental Committee whose membership includes an officer of the public authority.***

There are no statements to be published under this subsection at this time.

**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.***

There are no statements to be published under this subsection at this time.

**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.***

Customer Satisfaction Survey by Earle Global Alliance Limited – the Hotel Guest Satisfaction Index Reports for the following years:

- a) 2002,
- b) 2003,
- c) 2004,
- d) 2005; and
- e) 2006

**Section 9 (1) (f)**

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

- a) Tourism and Hospitality Consultants Limited (Lydia Richards) Reports - 2005
- b) Tourism and Hospitality Consultants Limited (Lydia Richards) Reports - 2006
- c) Business Development Company Limited Reports for 2006

**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.***

There are no statements to be published under this subsection 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.***

The Ministry of Tourism Annual Report.

**Section 9 (1) (i)**

***A report containing (1) final plans or proposals for the re-organization of the functions of the public authority, (2) the establishment of a new policy, programme or project to be administered by the public authority, or (3) 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 or Cabinet.***

There are no statements to be published under this subsection at this time.

**Section 9 (1) (j)**

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

There are no statements to be published under this subsection at this time.

**Section 9 (1) (k)**

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

There are no statements to be published under this subsection at this time.

**Section 9 (1) (l)**

***An environmental impact statement prepared within the public authority.***

There are no statements to be published under this subsection at this time.

**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.***

There are no statements to be published under this subsection at this time.