



TRINIDAD AND TOBAGO GAZETTE

(EXTRAORDINARY)

VOL. 45

Port-of-Spain, Trinidad, Friday 6th October, 2006—Price \$1.00

No. 163

THE FOLLOWING HAS BEEN ISSUED:

BILL entitled "An Act to provide for the establishment and management of the Heritage and Stabilisation Fund and for matters related thereto"—(\$1.26).

1808

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—

Common External Tariff (Suspension) (No. 6) Order, 2006—(Legal Notice No. 271 of 2006).

Common External Tariff (Variation of Duty) (No. 6) Order, 2006—(Legal Notice No. 272 of 2006).

Legal Supplement Part C—

Bill entitled "An Act to provide for the establishment and management of the Heritage and Stabilisation Fund and for matters related thereto".

1809

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 Heritage and Stabilisation Fund (No. 2) Bill, 2006.

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

5th October, 2006.

J. SAMPSON
Clerk of the House

1810

APPOINTMENT TO ACT AS PRIME MINISTER

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 section 78(1) of the Constitution of the Republic of Trinidad and Tobago, has authorized SENATOR DR. THE HONOURABLE LENNY SAITH, Minister of Public Administration and Information and Minister of Energy and Energy Industries, to perform the functions conferred upon the Prime Minister, other than the functions conferred by section 78(2) of the Constitution, with effect from the morning of 6th October, 2006 and continuing during the absence from Trinidad and Tobago of the said the Honourable PATRICK A. M. MANNING, M.P., in addition to the discharge of his normal duties.

5th October, 2006.

H. HEMNATH
*Secretary to His Excellency
the President*

1811

APPOINTMENT TO ACT AS MINISTER OF FINANCE

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. CONRAD ENILL, a Senator, to act in the Office of the Honourable PATRICK A. M. MANNING, Minister of Finance, with effect from 6th October, 2006 and continuing during the absence from Trinidad and Tobago of the said the Honourable Patrick A. M. Manning, M.P., in addition to the discharge of his normal duties.

H. HEMNATH
*Secretary to His Excellency
the President*

5th October, 2006.

1812

APPOINTMENT OF JUSTICES OF THE PEACE

UNDER the provision of section 4(1) of the Summary Courts Act, Chap. 4:20, His Excellency the President, on the advice of the Attorney General, has been pleased to appoint the undermentioned persons to be Justices of the Peace (*ex-officio*) for the Magisterial District of St. George West and Victoria West during the periods which they hold office as stated hereunder:

RAMRAJ SOOKHANSINGH	...	...	...	...	Section Manager and Second Deputy Marshal
ZOHIDA KHAN	...	...	...	...	Section Manager and Second Deputy Marshal
INAWATEE RAMNARINE	...	...	...	...	Section Manager and Second Deputy Marshal
LORNA SMALL	...	...	...	...	Section Manager and Second Deputy Marshal
RALPH DANIEL	...	...	...	...	Section Manager and Second Deputy Marshal
MAUREEN MATTHEWS OCHOA	...	...	...	...	Section Manager and Second Deputy Marshal

R. RAMNARINE
*for Permanent Secretary,
Ministry of the Attorney General*

Dated this 29th day of September, 2006

1813

UNDER the provision of section 4(1) of the Summary Courts Act, Chap. 4:20, His Excellency the President, on the advice of the Attorney General, has been pleased to appoint the undermentioned person, to be a Justice of the Peace (*ex-officio*) for the Magisterial District of South-Eastern Counties, during the period which she holds office as stated hereunder:

SHERYL ANN ALEXANDER	Acting Assistant Clerk of the Peace
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R. RAMNARINE
*for Permanent Secretary,
Ministry of the Attorney General*

Dated this 29th day of September, 2006.

1814

UNDER the provision of section 4(1) of the Summary Courts Act, Chap. 4:20, His Excellency the President, on the advice of the Attorney General, has been pleased to appoint the undermentioned person, to be a Justice of the Peace (*ex-officio*) for the Magisterial District of St. George West, during the period which she holds office as stated hereunder:

JACQUELINE SARGEANT	Acting Clerk of the Peace II
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R. RAMNARINE
*for Permanent Secretary,
Ministry of the Attorney General*

Dated this 29th day of September, 2006.

GOVERNMENT OF THE REPUBLIC OF TRINIDAD AND TOBAGO**PUBLIC STATEMENT OF THE****PORT AUTHORITY OF TRINIDAD AND TOBAGO****IN COMPLIANCE WITH SECTION 7, 8 AND 9 OF THE
FREEDOM OF INFORMATION ACT 1999**

In accordance with Sections 7, 8 and 9 of the Freedom of Information Act, 1999 (FOIA) the Port Authority of Trinidad & Tobago (PATT) is required by law to publish the following statements which list the documents and information generally available to the Public.

The FOIA gives the members of the public:

1. A legal right for each person to access information held by the Port Authority of Trinidad and Tobago
2. A legal right for each person to have official information relating to himself/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 Port Authority of Trinidad & Tobago as approved by the Minister of Finance.

SECTION 7 STATEMENTS**Section 7 (1) (a) (i)****Function and structure of the Port Authority of Trinidad & Tobago**

- **FUNCTIONS OF THE PORT AUTHORITY OF TRINIDAD AND TOBAGO**

The Port Authority of Trinidad & Tobago is a body corporate established by the Port Authority Act Chapter 51:01 having its principal place of business at No.1 Dock Road, Port of Spain. PATT's function is to develop the harbours of Port of Spain and Scarborough, to operate port services (which includes but is not limited to the provision and maintenance of facilities for the entry and berthing of ships, the landing and embarkation of passengers, and the loading, unloading, storage and warehousing of cargo), to operate the Government Shipping Service between Trinidad and Tobago, to collect authorised dues and charges, and to be responsible for the carrying out of the Act.

- **MISSION STATEMENT**

PATT is focused on and committed to becoming the most attractive, efficient, customer – oriented Port in the Region, to achieve and maintain financial self – sufficiency and to be exemplars of corporate performance in facilitating the achievement of national aspirations.

- **STRUCTURE OF PATT**

PATT consists of no fewer than five or not more than nine persons designated Commissioners, appointed by the President. Of these persons, five are appointed from amongst persons who have special qualifications in, and have had experience of, matters relating to engineering, accountancy, law, economics or business management. From amongst the Commissioners the President further appoints a Chairman and Deputy Chairman.

It is managed by the General Manager/Chief Executive Officer who is responsible for carrying out the decisions of the Authority.

There is a Port Secretary responsible for keeping, affixing and authenticating the seal of PATT to instruments pursuant to resolutions; and signing documents for and on behalf of PATT.

At present PATT is in a process of restructuring and transformation. The intention is to create three subsidiary companies to carry out the following functions:

1. Port of Spain Infrastructure Co. Ltd. (POSINCO) – to carry out the landlord's functions, Cruise Shipping for Trinidad, Security and Marine Operations.
2. Port of Port of Spain Ltd. (PPOS) – to carry out all cargo operations.
3. Trinidad and Tobago Inter Island Transportation Co. Ltd. (TTIT) – to operate the Port of Scarborough, Cruise Shipping in Tobago and act as agent for the Government Shipping Service.

CORPORATE INFORMATION

PATT's Management Team is comprised of the General Manager/Chief Executive Officer, Deputy General Manager, four (4) Executive Managers and Forty-Nine Senior Managers.

- **General Manager/Chief Executive Officer**
- **Deputy General Manager**

▪ **Four (4) Executive Managers**

- Executive Manager, Finance and Administration
- Executive Manager, Scarborough and G.S.S.
- Executive Manager, Port Operations
- Executive Manager, Corporate Projects

▪ **Forty-Nine (49) Senior Managers**

- Port Secretary
- Divisional Manager, Finance
- Divisional Manager, Property Management
- Divisional Manager, Operations
- Divisional Manager, Equipment
- Divisional Manager, Human Resources
- Divisional Manager, Marine
- Senior Legal Officer
- Chief Internal Auditor
- Procurement Manager
- Head of Marketing
- Head Information Technology
- Manager Information Technology
- Manager Container Operations
- Manager Strategic Planning
- Manager Safety, Health & Environment
- Manager Public Relations
- Manager Logistics
- Manager Performance Improvement
- Assistant Procurement Manager
- Assistant Divisional Manager Human Resources
- Assistant Manager, Marine
- Junior Legal Officer
- Human Resources Officer
- Port Administrative Officer III
- Accountant (2)
- Internal Auditor
- Management Analyst (2)
- Safety Health & Environment Officer
- Assistant Accountant
- Civil Engineer
- Supervisor, Equipment
- Electro-Mechanical Engineer
- Electrical Engineer
- Estate Security Superintendent
- Assistant Security Superintendent
- Estate Inspector (2)
- Port Superintendent (7)
- Change Manager
- Security Consultant

Section 7 (1) (a) (ii)**Categories of Documents in the Possession of the PATT**

1. Files dealing with the administrative support and general administrative documents for the operations of the PATT.
2. Personnel files which detail staff contracts, appointments, job applications, job promotions, job specifications, transfers, resignations, deaths, retirement, leave, vacation, pensions, performance appraisals etc.
3. Financial Records (cheques, receipts, financial statements, vouchers etc.).
4. Internal and external correspondence files.
5. Files dealing with matters relating to the procurement of supplies and equipment (requests for proposals, service contracts etc.).
6. Policy and procedure manuals/documents.
7. Minutes, Board Notes, Agenda of Meetings of the Authority and Subcommittees.
8. Statistical, Annual, Financial, Investments, Audit, Consultant and Technical reports.
9. Books, booklets, journals, magazines and manuals relating to the overall functions of the PATT.
10. Records of legal decisions, decisions of the Appeals Tribunal, contracts, agreements, tender documents and procedures, litigation and other legal proceedings, legal opinions and advice, legal notices and legislation.

Section 7 (1) (a) (iii)**Documents Prepared for Publication and Inspection**

PATT publishes the Portside News on a quarterly basis. This document contains internal information on PATT, its operations and staff. This publication or any other request for information can be made between the hours of 8:00 a.m. and 4:00 p.m. on normal working days at:

**THE PORT AUTHORITY OF TRINIDAD AND TOBAGO
PORT ADMINISTRATION BUILDING
No. 1 DOCK ROAD
PORT OF SPAIN**

PHONE: 623 – 2901/5 FAX: 627 – 2666

General information is available on the PATT's website:

www.patnt.com

Section 7 (i) (a) (iv)**Documents Available by way of Subscription**

PATT does not currently publish any documents that are available by way of subscription.

Section 7 (1) (a) (v)**Procedure for Accessing Documents from the PATT****How to Request Information**

1. PATT's policy is to answer all written requests for information.
2. All requests for access to documents that are not readily available in the public domain are to be made on the Request for Access to Official Document(s) Form and addressed to the Designated Officer.
3. All requests for access to documents that are not readily available in the public domain must be made on the appropriate form.
4. Requests will be acknowledged as official when made in the prescribed form.
5. Applicants must provide sufficient information to enable the FOIA Designated Officer to identify the documents being requested.
6. Queries for amendments to documents containing personal information about the applicant are to be directed to the Designated Officer in the form of a letter.
7. To ensure prompt handling of requests, please address it to the Designated Officer of the Port Authority of Trinidad & Tobago.

Time Allowed

8. PATT is required to furnish copies of documents that are in its possession or custody or that can be retrieved from storage.
9. Applicants will be notified within thirty (30) calendar days in accordance with section 15 of the FOIA, or before whether or not a request has been approved.
10. Applicants whose requests are incomplete or unclear will be informed of same by the FOIA Designated Officer who will make arrangements to meet with the applicant for consultation with a view to clarifying the request.
11. The time limit of thirty (30) days will be suspended while consultation with the applicant is being undertaken, and resumes on the day the applicant confirms or alters the request.
12. An applicant, whose request for documents is refused, will be notified in writing of the reasons for refusal. The FOIA Designated Officer will inform the applicant about the remedies that are open to him.

Fees and Refunds

13. All documents provided under the FOIA are to be provided free of cost (including duplication charges) as there are no prescribed fees in effect.

Section 7 (1) (a) (vi)**Officers in PATT responsible for**

1. The initial receipt of an action upon notices under section 10
2. Request for access to documents under section 13; and
3. Application for correction of personal information under section 36 of the FOIA.

The Designated Officer is:**PAMELA FORD**

Senior Legal Officer

Port Authority of Trinidad & Tobago

No.1 Dock Road

Port of Spain.

The Alternate Officer is:**HAYDEN ALLEYNE**

Manager, Strategic Planning

Port Authority of Trinidad & Tobago

No.1 Dock Road

Port of Spain.

Section 7 (1) (a) (vii)**Advisory Boards, Councils, Committees and Other Bodies (where meetings are open to the public)**

At present there are no bodies that have been established by PATT whose meetings are open to the public or whose minutes of meetings are available for public inspection.

Section 7 (1) (a) (viii)**Library/Reading Room Facilities**

Information in the public domain can be accessed through our website at www.patnt.com.

General Information enquiries can be made to the:

Senior Legal Officer
Port Authority of Trinidad & Tobago
No. 1 Dock Road
Port of Spain
Phone: 623-2901/5 ext. 183

For the purposes of FOIA reference, documents may be viewed between 8:00 a.m. and 4:00 p.m. in the designated reading area located at the:

**Port Authority of Trinidad and Tobago
Library
No.1 Dock Road
Port of Spain**

The public is required to adhere to the rules and regulations outlined for use of the facility.

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

1. Port Authority Act Chapter 51:01.
2. Port Authority (Tariff) Regulations 1994.
3. Port Authority (Store Rent Exemptions) Regulations 1995.
4. Disposal of Uncleared Goods Act Chapter 51:05.

All documents listed above are available at the Government Printery.

**Section 9
Statements**

**Section 9 (1) (a)
Reports or statements containing the advice or recommendations of a body or entity established within PATT**

- NIL

**Section 9 (1) (b)
Reports or statements containing advice or recommendations prepared by a body established outside PATT by or under any written law, or by a Minister of Government or other public authority.**

- NIL

**Section 9 (1) (c)
Reports or statements containing advice or recommendations of an Interdepartmental Committee whose membership includes an officer of PATT.**

- NIL

Section 9 (1) (d)

Reports or statements containing advice or recommendations of a committee established within PATT to submit a report, provide advice or make recommendations to the responsible Minister or to any other officer of PATT who is not a member of the Committee.

There is a Report of the National Ports Council Legal Sub Committee concerning the establishment and development of a National Ports Council (NPC). The NPC is to be a regulatory body comprising Port representatives and stakeholders responsible for all seaports in Trinidad and Tobago.

Section 9 (1) (e)

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

PATT has in its possession report from:

- Dynamar Consultancy BV which conducted a Review of the Tariff Structure. The company has submitted its report to the Authority with its recommendations.

Section 9 (1) (f)

Reports prepared for PATT by consultants who were paid for preparing the report.

Report: Performance Evaluation of the Emergency Medical Response. Prepared by Specialists Emergency Care and Treatment Limited.

Report: A Feasibility Study on the Introduction of a Water Taxi Service between Port of Spain and San Fernando. Prepared by ARCO Lighting and Engineering.

Investigation and Report: Supreme Investigations Consultancy.

Section 9 (1) (g)

Reports prepared within PATT 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.

Report: A Feasibility Study on the Introduction of a Water Taxi Service between Port of Spain and San Fernando. Prepared by ARCO Lighting and Engineering.

Section 9 (1) (h)

Reports on the performance or efficiency of PATT, or of an office, division or branch of PATT, whether the report is of a general nature or concerns a particular policy, programme or project administered by PATT.

Report: Work Study and Review of Cargo Handling Process at PATT. Lennox Sealey and Associates Consultancy Services prepared a Work Study and Review of Cargo Handling Process for PATT. The company also completed a project report on “Improving the Operations of the Container Examinations Station of the Customs & Excise Division”.

Section 9 (1) (i)

Reports containing:-

- i. Final Plans or proposals for the re-organisation of the functions of PATT; and**
- ii. The establishment of a new or alteration of an existing policy, programme or project administered by the PATT**

Whether or not the plans or proposals are subject to approval by an officer of PATT, another Public Authority, the responsible Minister of PATT or Cabinet.

The Company, PriceWaterhouseCoopers acted as Consultant for PATT and have completed a number of reports for PATT. These reports, for the most part, have been concerned with the current transformation exercise.

Section 9 (1) (j)

Statements prepared within PATT and containing policy directions for the drafting of legislation

There is a Report of the National Ports Council Legal Sub Committee concerning the establishment and development of a National Ports Council (NPC). The NPC is to be a regulatory body comprising Port representatives and stakeholders responsible for all seaports in Trinidad and Tobago.

The NPC Legal Sub Committee prepared a draft of the proposed Legislation. This is before the Legislative Review Committee for subsequent laying in Parliament.

Section 9 (1) (k)

Reports of tests carried out within PATT on a product for the purpose of purchasing equipment.

At this time PATT has no reports of tests carried out within PATT on a product for the purpose of purchasing equipment.

Section 9 (1) (l)**An environmental impact statement prepared within PATT.**

At this time PATT has no environmental impact statements as prepared within PATT.

Section 9 (1) (m)**Valuation reports prepared for PATT by a valuator, whether or not the valuator is an officer of PATT.**

PATT is in possession of several Valuation Reports that were conducted by independent valuers in respect of real property owned by PATT that are the subject of either a Deed of Lease or a Licence to Occupy.