



Government of the Republic of Trinidad and Tobago

Freedom of Information Act Chap 22:02

ANNUAL REPORT TO PARLIAMENT

2018

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EXECUTIVE SUMMARY

The Freedom of Information Act Chapter 22:02 gives members of the public the legal right to request access to information in the possession of public authorities, subject to certain and limited exemptions.

Pursuant to **section 40 (1)** of the FOIA, the Minister with responsibility for information is required to present an annual report to Parliament giving an account of the operations of the FOIA. The summary of the operation of the FOIA in accordance with section 40(3) is included in Table 1 below.

Table 1: Summary of information required under section 40 of the Freedom of Information Act

Activity	Number/Remarks
1. Number of requests made to public authorities	2,080
2. Number of decisions that an applicant was not entitled to access to a document pursuant to a request, the provisions of this Act under which these decisions were made and the number of times each provision was invoked.	257 <i>Ref. 5.3</i>
3. Number of applications for judicial review of decisions under the Freedom of Information Act and the outcome of those applications.	226 <i>Ref. 5.4</i>
4. Number of complaints made to the Ombudsman with respect to the operation of the FOIA and the nature of those complaints.	20 <i>See Appendix V</i>
5. Number of notices served upon each public authority under section 10 (1) and the number of decisions by the public authority which were adverse to the person's claim.	None
6. Particulars of any disciplinary action taken against any officer in respect of the administration of this Act.	None
7. The amount of charges collected by each public authority under this Act.	None
8. Particulars of any reading room or other facility provided by each public authority for use by applicants or members of the public, and the publications, documents, or other information regularly on display in that reading room or other facility [section 7(1)(viii)]	<i>See Appendix VI</i>
9. Any other facts which indicate an effort by public authorities to administer and implement the spirit and intention of this Act.	None

1.0 INTRODUCTION

The Freedom of Information Act Chap 22:02 (“FOIA”) arose out of the principles of the Harare Declaration¹ that was signed by the Commonwealth Heads of Government in 1995². One of the principles state “... *the individual’s inalienable right to participate by means of free democratic political processes in framing the society in which he or she lives*” and “*the protection of promotion ... just and honest government*”.

The FOIA affords members of the public:

- (i) the legal right to request access to information that is held by public authorities and other bodies which exercise public functions;
- (ii) the right to scrutinize the actions of Government, by which means there is a measure of accountability; and
- (iii) access to information, thus allowing the public to engage in social dialogue and participate in the Government’s decision making and policies.

This Freedom of Information report for 2018 is the sixteenth report prepared under **Section 40 (1)** of the FOIA.

Section 40 (1) of the FOIA mandates that “*The Minister shall as soon as practicable after the end of each year, prepare a report on the operation of this Act during the year and cause a copy of the report to be laid before each House of Parliament*”.

This report provides information public access to official government documents of public authorities with exceptions.

The Annual Report is sub-divided into the following sections

- 2.0 Legal Framework
- 3.0 Administration of the Freedom of Information Act
- 4.0 Monitoring of the Freedom of Information Act
- 5.0 Statistical Analysis, inter alia:
 - the number of requests made to public authorities;

¹ Commonwealth Heads of Government Meeting in Harare, Zimbabwe 1991

² The affirmation of the Harare Declaration was done in Millbrook, New Zealand (at the Commonwealth Heads of Government Meeting in Auckland) where a firm commitment was made to fulfill the Declaration and as such the Commonwealth Heads of Government agreed to the Millbrook Commonwealth Action Programme.

- the number of decisions that an applicant was not entitled to access a document;
- the number of judicial review applications and their outcomes; and
- the number of complaints to the Ombudsman and the nature of those complaints.

2.0 LEGAL FRAMEWORK

The Freedom of Information Act Chap 22:02 (FOIA) was passed by an Act of Parliament No 26 of 1999³. It gives members of the public a general right (with exceptions) to request access to official documents in public authorities. The FOIA is made up of five parts:

- Part I deals with the Preliminaries which became operational on November 20, 2000;
- Part II deals with Publication of Certain Documents and Information was operationalized on April 30, 2001; and
- Parts (III-V) deals with Right of Access to Information, Exempt Documents and Miscellaneous and came into force on August 30, 2001.

Section 7 of the FOIA mandates annual publication (in the Gazette and in a daily newspaper) of information held by public authorities, namely, a statement setting out the particulars of the organization and functions; a statement of categories of documents maintained in its possession; statements of material prepared for inspection by members of the public; the procedure to be followed by a person when a request for access to a document is made; a statement listing all boards, councils, committees and other bodies established for the purpose of advising the public authority and details of whether the authority maintains a library or reading room and what materials are available.

Section 15 of the FOIA prescribes a thirty-calendar day period for an official response when an official request is made. While **Section 23** mandates that if a public authority refuses access to the information requested, they must provide reasons for such denial and must inform the Applicant of their right to approach the Ombudsman (**Section 38A**) or apply to the High Court for judicial review (**Section 39**).

The FOIA, carries a presumption of disclosure, as it crystallizes the public's right to access information. However, such right is not absolute and **Part IV** of the FOIA lists the following documents which are regarded as exempt documents:

- Cabinet documents
- International Relations documents
- Law enforcement
- Defence and security documents

³ Amended by Act 92 of 2000 and Act 14 of 2003

- Internal Working documents
- Documents affecting legal proceedings
- Trade Secret documents
- Materials obtained in confidence
- Documents where secrecy provisions apply
- Documents affecting personal privacy
- Documents affecting the economy and commercial affairs

Section 35 of the FOIA allows for the disclosure of an exempt document in the public interest as per Part IV of the FOIA. The grounds a public authority must consider are:

- where there is abuse of authority or neglect in performance of official duty;
- injustice to an individual;
- danger to the health or safety of an individual or of the public; and
- unauthorized use of public funds

The FOIA also provides for certain public authorities to be exempted from its provisions (**Section 5**). The following public authorities have received exemption orders:

1. First Citizens Bank Group⁴ which includes:
 - a. First Citizens Holdings Limited
 - b. First Citizens Bank
 - c. First Citizens Corporate Services Limited
 - d. First Citizens Bank Mortgage and Trust Company Limited
2. Trinidad and Tobago Unit Trust Corporation⁵
3. Export-Import Bank⁶
4. Agricultural Development Bank⁷
5. Trinidad and Tobago Mortgage Finance Company Limited⁸

⁴ Legal Notice 21/2003 Freedom of Information (Exemption) Order

⁵ Legal Notice 21/2003 Freedom of Information (Exemption) Order

⁶ Legal Notice 21/2003 Freedom of Information (Exemption) Order

⁷ Legal Notice 21/2003 Freedom of Information (Exemption) Order

⁸ Legal Notice 21/2003 Freedom of Information (Exemption) Order

6. Taurus Services Limited⁹
7. Business Development Company Limited¹⁰
8. National Entrepreneurship Development Company Limited¹¹
9. National Enterprises Limited¹²
10. Central Bank of Trinidad and Tobago¹³
11. Integrity Commission of Trinidad and Tobago¹⁴
12. Justice Protection Programme¹⁵
13. Strategic Services Agency¹⁶

⁹ Legal Notice 21/2003 Freedom of Information (Exemption) Order

¹⁰ Legal Notice 21/2003 Freedom of Information (Exemption) Order

¹¹ Legal Notice 21/2003 Freedom of Information (Exemption) Order

¹² Legal Notice 21/2003 Freedom of Information (Exemption) Order

¹³ Legal Notice 76/2004 Freedom of Information (Exemption) (No.2) Order

¹⁴ Legal Notice 131/2005 Freedom of Information (Exemption) (No.3) Order

¹⁵ Legal Notice 48/2015 Freedom of Information (Exemption) (No.4) Order

¹⁶ Legal Notice 151/2017 Freedom of Information (Exemption) (Order) 2017

3.0 ADMINISTRATION OF THE FREEDOM OF INFORMATION ACT

3.1 *The Freedom of Information Unit*

The Freedom of Information Unit (“Unit”) was established in 2001 to monitor, advise, train and report on the statutory compliance of public authorities in accordance with the Freedom of Information Act Chapter 22:02.

In 2018, the Unit functioned under the Ministry of Public Administration and Communications located at National Library and Information System Authority (NALIS) Building at 23 Abercromby Street, Port of Spain.

The organisational structure of the Unit (Figure 1) allows for the employment of nine (9) members of staff. The positions of Executive Director and Senior FOI Officer – Client Relations and Training, were not filled since the establishment of the Unit. Consequently, the Unit continued to operate with three (3) members of staff: 2 officers in Client Relations and Training and 1 officer in Research.

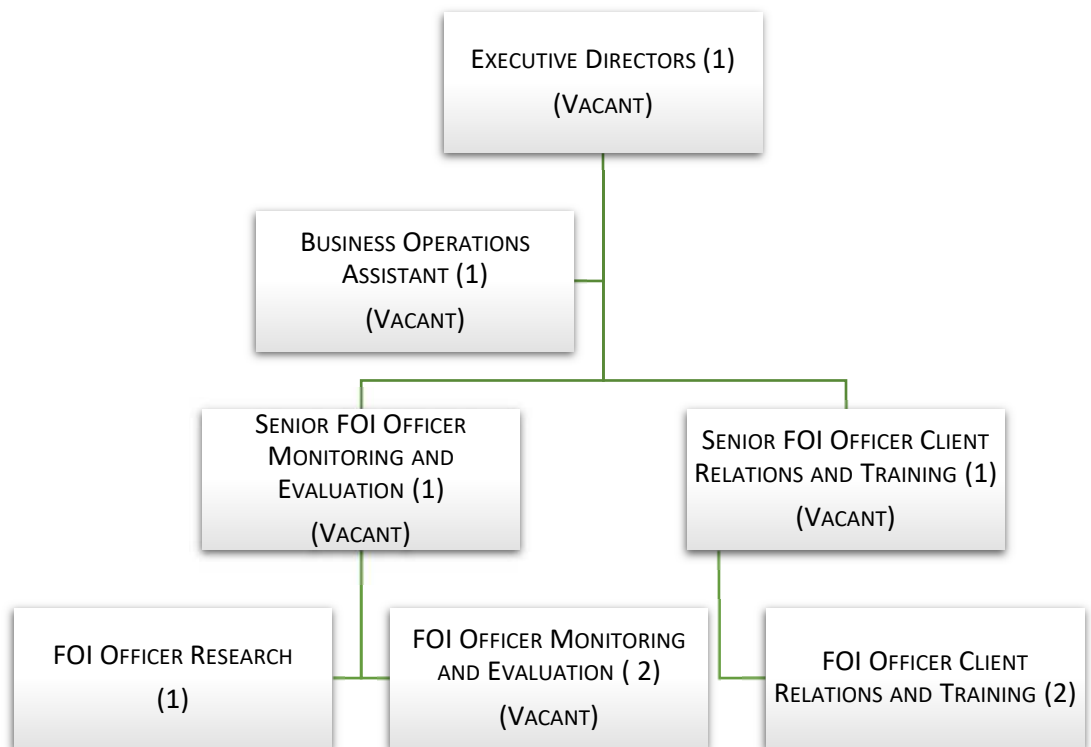


Figure 1: Organizational Structure of the Unit

The three core functional areas within the Unit are:

1. Client Relations and Training – ensuring that all public authorities are aware of their responsibilities under the FOIA through sensitization and training;
2. Monitoring and Evaluation – the operations of the FOIA and making recommendations to ensure compliance with the objectives of the FOIA;
3. Research – To maintain an awareness of latest trends and developments in freedom of information.

3.2 Training Sessions conducted by the Freedom of Information Unit

During the period January to December 2018, the Unit engaged in several training workshops regarding the Freedom of Information Act. Over one thousand (1,000) public officers from thirty-seven (37) public authorities received training and/or sensitization regarding the Act. **Appendix I** provides a detailed listing of the public authorities that received training in 2018.

3.3 Community and Stakeholder Engagement

The Unit also plays a key role in educating and sensitizing the public on their rights to access information through public outreach campaigns. In this regard, thirty (30) outreach programmes were conducted throughout Trinidad, with 2,288 persons educated about the FOIA. **Appendix II** provides a detailed listing of the geographical areas where outreach programmes were conducted.

4.0 MONITORING OF THE FREEDOM OF INFORMATION ACT

4.1 Quarterly Returns

Pursuant to **sections 40(2), 40(3) (a)–(i)** of the FOIA, public authorities must furnish the Minister with information as required for the preparation of the annual report to be laid before each House of the Parliament. The relevant information is submitted by the public authorities to the Unit by way of quarterly returns.

Approximately two hundred and seventy (270) public authorities had a legal obligation to submit FOI statements and returns. **Appendix III** highlights the public authorities which did not submit any quarterly returns in 2018.

Of this, sixty (60) or 22% of public authorities submitted quarterly returns, which were used to prepare this Annual Report. This represents a 30% increase of in the number of quarterly submissions by public authorities when compared to forty-six (46) which made submissions in 2017.

Figure 2 below illustrates the type of public authorities and the number of submitted returns. Total submission from all public authorities has a three- year average of 52 submissions, which represents an overall rate of 23% of public authorities submitting quarterly returns.

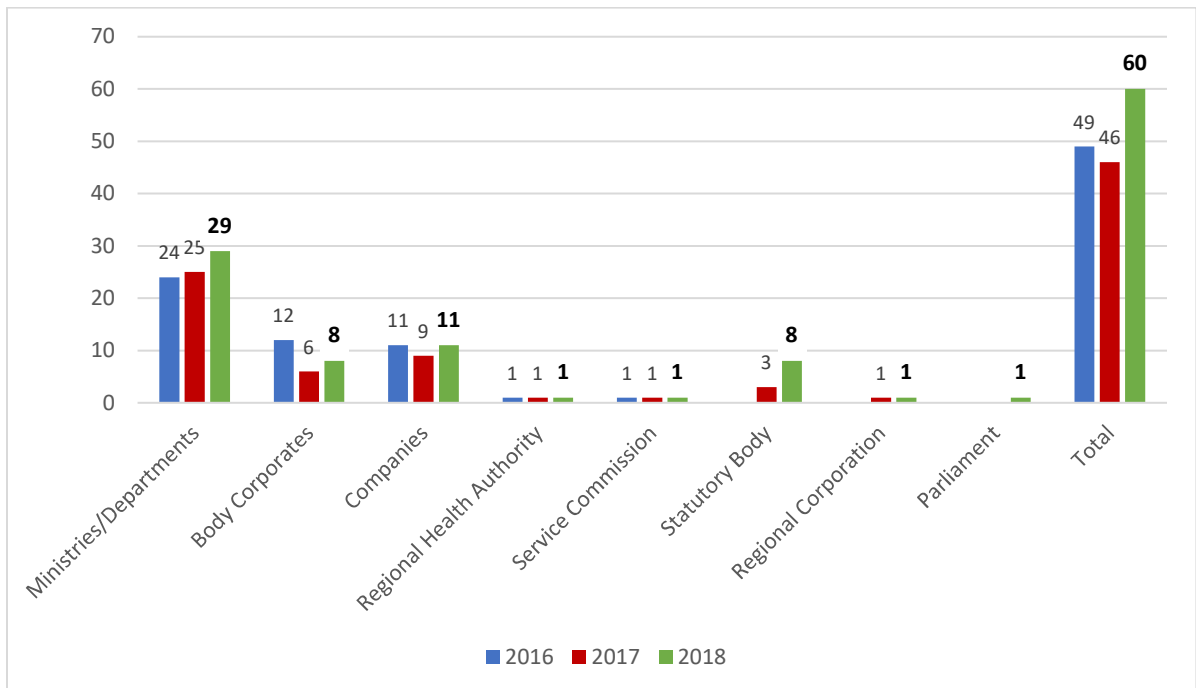


Figure 2: Quarterly Return submissions by Public Authorities for 2018

The expansion with 14 submissions in 2018 was facilitated by increased submissions from statutory bodies (5); ministries/departments (4); companies (2); body corporates (2) and Parliament (1).

In 2018, ministries/departments remained consistent representing of the largest category of submissions (29), followed by companies (11) thereafter body corporates and statutory bodies (8).

A closer examination of the data for the three-year period (2016-2018) revealed that Ministries/Departments have gradually increased their submissions. In 2016, 24 entities had submitted returns, which increased slightly to 29 in 2018, a 20% increase.

Statutory Bodies have seen a 226% increase in their entities submitting returns from three (3) in 2017 to eight (8) in 2018; the same trend occurred in Body Corporate entities moving from no submission in 2016, to six (6) in 2017 and eight (8) in 2018.

Regional Corporations registered a 92% decline in quarterly submissions from 2016 which had 12 submissions followed with only one (1) submission from 2017-2018 of the 14 Regional Corporations. This parallels the single submission of one (1) out of four (4) Regional Health Authorities.

4.2 Publication of Annual Statements

Pursuant to **sections 7 to 9** of the FOIA, public authorities are required to publish an annual public statement in the Gazette and a daily newspaper. The annual statement contains the organisational structure of the public authority; the operations of the organization; listing of the reading room and the name of the designated and alternate freedom of information officer.

Nineteen (19) public authorities published annual statements via the Gazette during the year. Table 2 highlights the public authorities which published their annual statements in 2018.

Table 2: Publication of Public Statements by Public Authorities in the Gazette - 2018

PUBLIC AUTHORITIES	Reference – Gazette
1. Environmental Management Authority (EMA)	Gazette No.5, Vol. 27, pp 29-46, 5 January, 2018
2. Regulated Industries Commission (RIC)	Gazette No.41, Vol. 57, pp 396-406, 5 April, 2018
3. Trinidad and Tobago Electricity Commission (TTEC)	Gazette No.43, Vol. 57, pp 418-426, 9 April, 2018
4. Police Complaints Authority (PCA)	Gazette No.44, Vol. 57, pp 450-466, 10 April, 2018
5. Trinidad and Tobago Securities Exchange Commission	Gazette No.45, Vol. 57, pp 468-477, 11 April, 2018

6. Ministry of Trade and Industry	Gazette No.76, Vol. 57, pp 706-711, 11 June, 2018
7. Ministry of Housing and Urban Development	Gazette No.83, Vol. 57, pp 779-797, 26 June, 2018
8. Personnel Department	Gazette No.83, Vol. 57, pp 798-810, 26 June, 2018
9. Ministry of Public Utilities	Gazette No.99, Vol. 57, pp 936-948, 8 August, 2018
10. Electrical Inspectorate Division	Gazette No.99, Vol. 57, pp 949-956, 8 August, 2018
11. Equal Opportunities Commission (EOC)	Gazette No.100, Vol. 57, pp 969-972, 9 August, 2018
12. Rural Development Company of Trinidad and Tobago Limited (RDC)	Gazette No.104, Vol. 57, pp 1007-1027, 17 August, 2018
13. Trinidad and Tobago Postal Corporation (TTPOST)	Gazette No.104, Vol. 57, pp 1016-1027, 17 August, 2018
14. The National Maintenance Training and Security Company Limited (MTS)	Gazette No.104, Vol. 57, pp 1028-1039, 17 August, 2018
15. Trinidad and Tobago National Petroleum Marketing Company Limited (NP)	Gazette No.107, Vol. 57, pp 1071-1078, 30 August, 2018
16. Ministry of Social Development and Family Services	Gazette No.117, Vol. 57, pp 1131-1172, 17 September, 2018
17. The Caribbean Industrial Research Institute (CARIRI)	Gazette No.118, Vol. 57, pp 1179-1184, 18 September, 2018
18. Phoenix Park Gas Processors Limited (PPGPL)	Gazette No. 162, Vol. 57, pp 1761-1768, 28 December, 2018
19. The National Gas Company of Trinidad and Tobago	Gazette No. 162, Vol. 57, pp 1769-1772, 28 December, 2018

5.0 STATISTICAL ANALYSIS

This section to provides an analysis of the information required by the FOIA under **section 40(3)**.

5.1 Number of Requests made for the year 2018

In 2018, a total of a total of seven thousand, nine hundred and three (7,903) requests required determination as follows:

- Requests brought forward from previous year(s) - 5885¹⁷
- New requests received from sixty (60) public authorities – 2,080
- Request withdrawn -62

Of this total, 2,388 requests were finalized (see Section 5.3).

Service Commissions Department recorded the highest number of new requests with 913 requests, followed by the North West Regional Health Authority which had 155 requests and Ministry of Education with 145 requests. The listing of the various organizations and the number of requests received are found in **Appendix IV**. The most requested documents from the Service Commissions Department were documents which affected legal privilege.

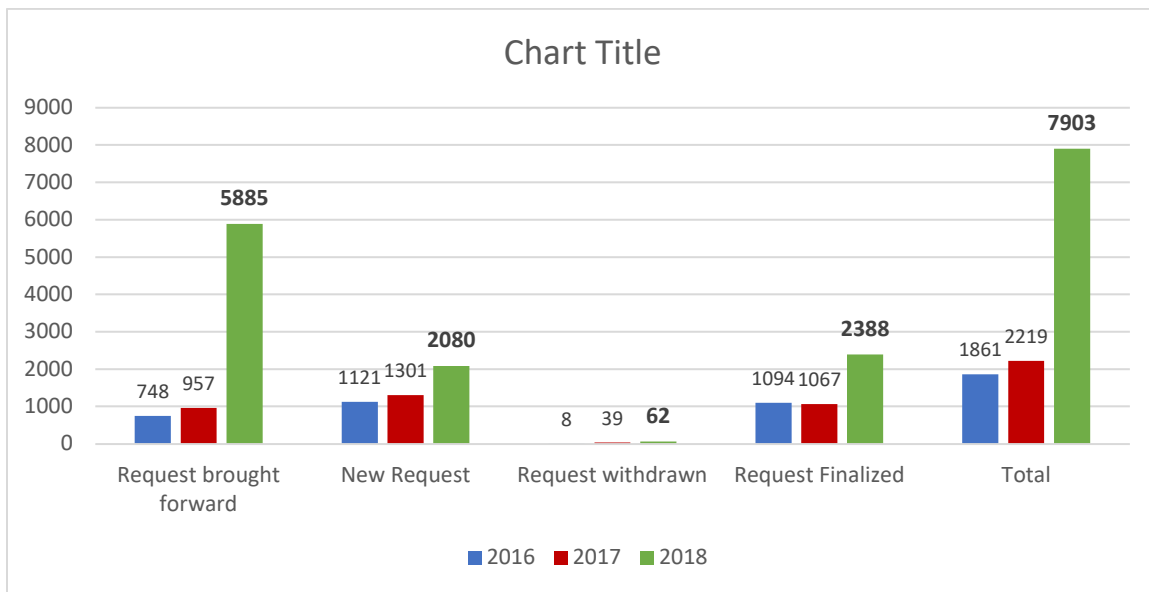


Figure 3: Number of Requests received by Public Authorities

¹⁷ This figure includes Service Commissions Department submission of 4,781 outstanding requests from previous years on their quarterly returns.

5.2 Categories of Requested Information

Other Documents¹⁸ totalling 1708 were the most requested documents and accounted for 57% of the total documents requested.

Figure 4 provides a complete breakdown of the categories of information requested for the period 2016- 2018.

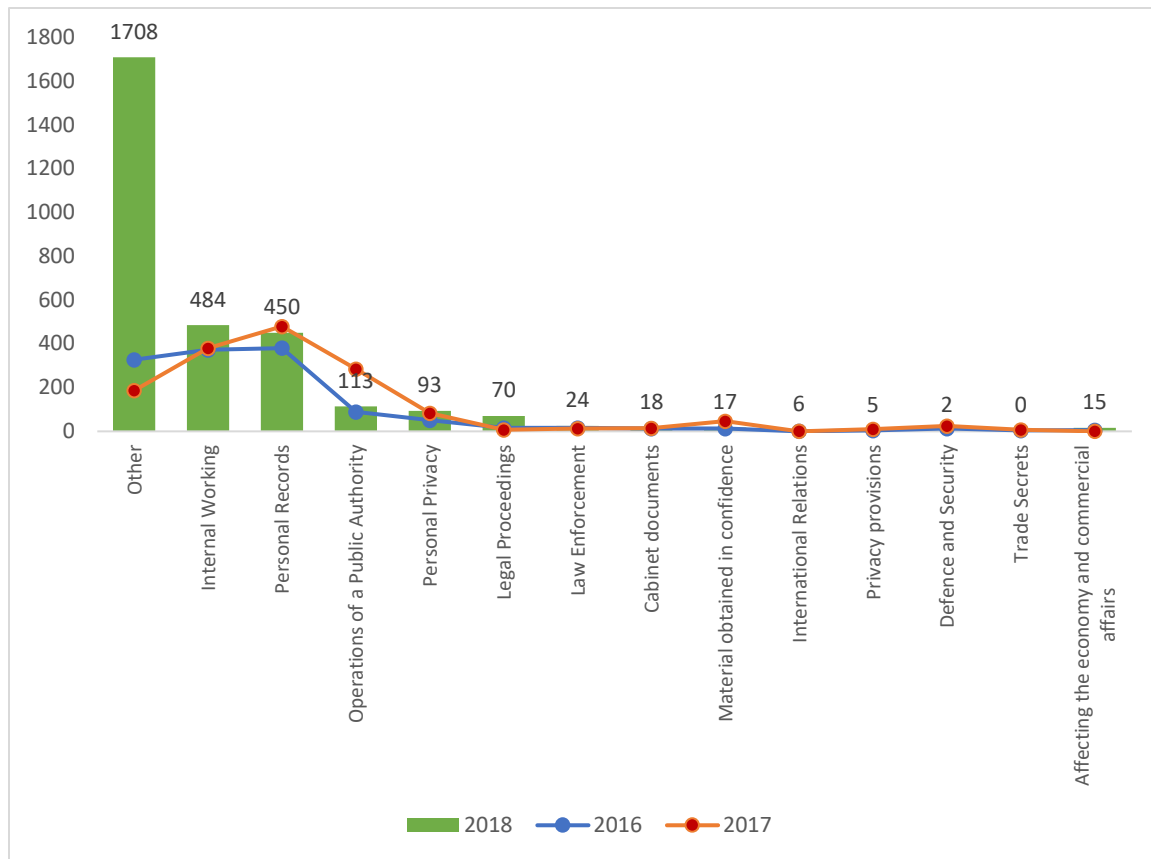


Figure 4: Information requested under the FOIA by Category (documents)

A cursory glance of the graph highlights that the most requested documents by applicants for the three-year period were as follows:

- Other Documents;
- Personal Records;
- Internal Working Documents; and
- Operations of a Public Authority

¹⁸ Other Documents include inter alia documents concerning opportunities for promotion, employment, Order of Merit lists, exam booklets and scripts.

5.3 Action taken on Freedom of Information Requests

Request to access for information or documents may be:

- (i) Granted in Full – 1,753 (73%) of all the information requested was given to the applicant.
- (ii) Granted in Part – applicant received access to 196 (8%) of some of the information requested.
- (iii) Deferred – 182 (8%) of the request was deferred as it satisfies Section 19 (1) where the information requested is currently being prepared –
 - a. for presentation to Parliament
 - b. for release to the media
- (iv) Refused – 257 (11%) of the request was refused as the document requested fell under Part IV of the Act, with exemptions.

In 2018, approximately 2,388 requests were finalized. Figure 5 shows the action taken on the requests.

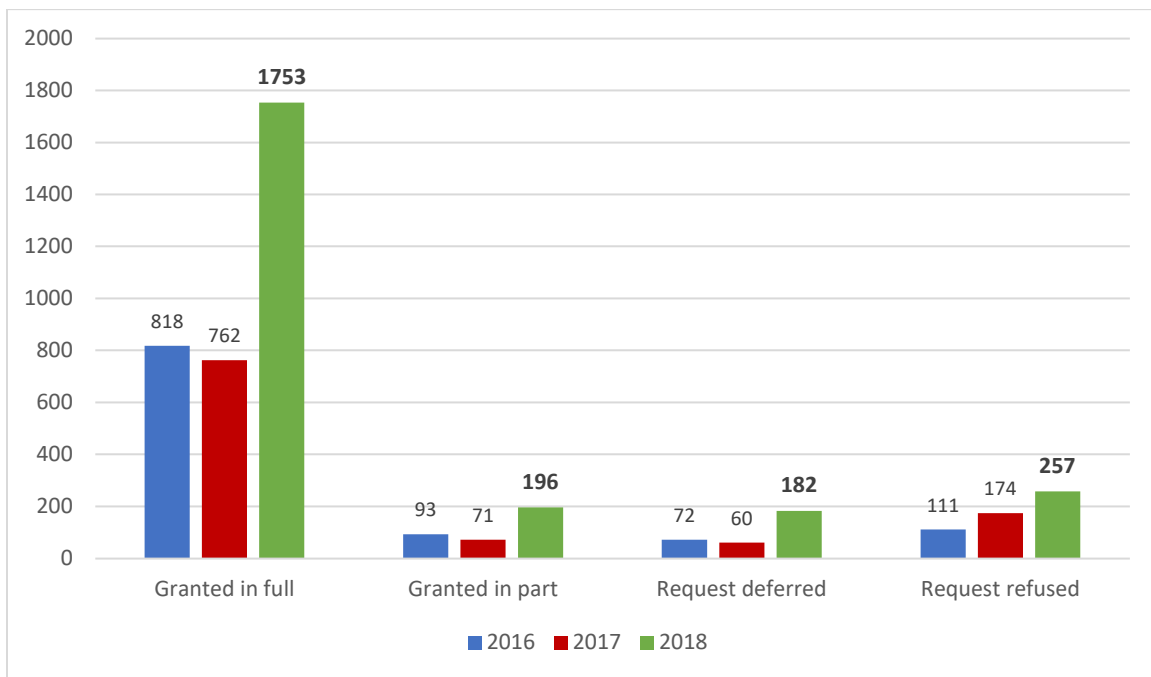


Figure 5: Action taken on FOI Requests

Throughout the period 2016-2018, public authorities have been answering requests for information fully, the highest number of requests granted in their entirety occurred in 2018.

5.4 Judicial Review

Pursuant to **Section 39** of the FOIA, a person aggrieved by a decision of a public authority under the FOIA may apply to the High Court for judicial review of the decision. It should be noted that an applicant whose request for information has been denied, must be informed of his/her right to apply to the High Court for judicial review of the decision and the time within which the application for review is required to be made.

For the year 2018, two hundred and twenty-six (226) matters were filed to the High Court for judicial review compared to two hundred and three (203) in 2017, or an increase of 11%

5.5 Complaints made to the Office of the Ombudsman

Any applicant who is aggrieved by the refusal of a public authority to grant access to an official document is entitled to approach the Ombudsman for redress. It is noteworthy that the Ombudsman's role is merely advisory and as such a public authority is not compelled to change its decision in relation to an application under the FOIA.

During the period under review, the Office of the Ombudsman received twenty (20) complaints from aggrieved applicants. This compares to twelve (12) in 2017, representing an increase of 67%. The Ombudsman liaised successfully with public authorities to ensure that the matters raised by the aggrieved applicants were treated with in keeping with the statutory obligations under the FOIA. (See **Appendix V**).

5.6 Other Matters

For the year 2018, the examination of the submitted quarterly returns by the Public Authorities revealed the following:

- No notices were served upon any public authority under section 10 (1) and no decisions rendered by the public authority which were averse to a person's claim;
- No Disciplinary action was taken against an officer in the administration of the FOIA;
- No Charges were collected under the FOIA;
- No acts were submitted by any authority to demonstrate an intention to administer and implement the spirit and intention of the FOIA.

5.7 Reading Room

Section 7(1)(viii) of the FOIA mandates that a Public Authority in its published annual statement indicates whether they maintain a reading room for the public and lists what is available for public consumption and times of operation.

Appendix VI lists the particulars of any reading room or other facility provided by twelve (12) public authorities for use by applicants or members of the public and lists their publications that are regularly on display.

APPENDICES

Appendix I: 2018 Training Sessions conducted by the Freedom of Information Unit

PUBLIC AUTHORITY/ ORGANIZATIONS	ADDRESS/VENUE	DATE	# OF PERSONS TRAINED
1. Public Service Academy	Old Fire Station Building	January 16, 2018	21
2. Ministry of Works and Infrastructure and Agencies	Ministry of Works and Infrastructure, Head Office	January 18, 2018	37
3. Tobago House of Assembly	Calder Hall, Tobago	January 22, 2018	16
4. Trinidad and Tobago Police Service – Tobago Division (TTPS)	Scarborough, Tobago	January 23, 2018	24
5. Trinidad and Tobago Fire Service (TTFS) - Tobago	Tobago, Scarborough	25-26 January 2018	19
6. Transport Division	Transport Division, Caroni	February 6, 2018	18
7. Ministry of Rural and Local Government	Ministry of Rural and Local Government – Head Office	February 20, 2018	19
8. Ministry of Health and its Agencies	Ministry of Health- Head Office	February 23 and 27, 2018	48
9. Trinidad and Tobago Fire Service – Auxiliary Fire Service	Head Office, Wrightson Road	February 28, 2018	28
10. Public Service Academy	Old Fire Station, Port of Spain	March 1, 2018	22
11. Service Commissions Department	#10 Cipriani Boulevard, Newton, Port of Spain	March 13, 2018	26
12. National Lotteries Control Board	119-121 Duke Street, Port of Spain	March 20, 2018	13
13. Trinidad and Tobago Police Service – Southern Division	San Fernando	March 22, 2018	22
14. Trinidad and Tobago Police Service – Northern Division	TTPS Training Academy	March 28, 2018	23

PUBLIC AUTHORITY/ ORGANIZATIONS	ADDRESS/VENUE	DATE	# OF PERSONS TRAINED
15. Rio Claro/Mayaro Reg. Corporation	Rio Claro/Mayaro Reg. Corp., Rio Claro	April 11, 2018	16
16. Trinidad and Tobago Police Service –Sangre Grande	Sangre Grande Police Station – Training Room	April 17, 2018	24
17. Sangre Grande Regional Corporation	Administration Building Sangre Grande	April 18, 2018	12
18. Trinidad and Tobago Police Service (TTPS)- Maloney	Maloney Police Station – Conference Room	April 23, 2018	10
19. Arima Borough Corporation	Eastern Main Road, Arima	April 26, 2018	13
20. Consortium of Disability Organizations	Centre Point Mall, Conference Hall, Chaguanas	April 27, 2018	22
21. San Juan/Laventille Regional Corporation	San Juan Market – Conference Room	April 30, 2018	27
22. Chaguanas Borough Corporation	Chaguanas Office, Chaguanas	May 7, 2018	18
23. Tunapuna/Piarco Corporation	Centenary Street, Tunapuna	May 11, 2018	19
24. Point Fortin Borough Corporation	Point Fortin, Corporation Office	May 17, 2018	14
25. North Central Regional Health Authority	Queen Mary Avenue, Arima Health Facility	May 22, 2018	12
26. Point Fortin Borough Corporation	Point Fortin	May 24, 2018	23
27. Princes Town Regional Corporation	High Street, Princes Town	June 5, 2018	24
28. Port of Spain City Corporation	City Hall, Port of Spain	June 8, 2019	15
29. Penal/Debe Regional Corporation	S.S. Erin Road, Debe	June 12, 2018	28

PUBLIC AUTHORITY/ ORGANIZATIONS	ADDRESS/VENUE	DATE	# OF PERSONS TRAINED
30. Trinidad and Tobago Police Service – Eastern Division	Sangre Grande Police Station, Training Room	June 14, 2019	22
31. Couva/Tabaquite Regional Corporation	Railway Road, Couva	June 21, 2019	23
32. Trinidad and Tobago Electricity Commission (T&TEC)	Central Distribution, Point Lisas	June 26, 2018	24
33. Trinidad and Tobago Electricity Commission (T&TEC)- Tobago	Lowlands, Tobago	July 5, 2018	11
34. Lake Asphalt	Brighton, La Brea	July 12, 2018	21
35. Water and Sewerage Authority (WASA) – Tobago	Scarborough, Tobago	August 8, 2018	10
36. Trinidad and Tobago Police Service- Southern Division	Promenade, High Street, San Fernando	August 30, 2018	24
37. Siparia Regional Corporation	High Street, Siparia	September 5, 2018	18
38. North West Regional Health Authority	Main Road St. James / St. James Hospital – Training Room	10-12 September, 2018	29
39. Tobago Regional Health Authority	Signal Hill, Scarborough General Hospital – Training Room	17-21 September, 2018	19
			1,063

Appendix II: 2018 Outreach sessions conducted by the Freedom of Information Unit

LOCATION/ AUTHORITY	ADDRESS/VENUE	DATE	# OF PERSONS
1. San Fernando East Secondary School	200 Pleasantville, Pleasantville, San Fernando, Ministry of Education-JCC	January 24, 2018	62
2. La Horquetta Village Plaza	Sel Duncan Avenue, Phase 1, La Horquetta, Tunapuna, Ministry of Education	January 25-26, 2018	37
3. Fyzabad Secondary School	Guapo Road, Fyzabad	February 5, 2018	128
4. Marac STAR.TT ICT Access Centre	#14 Savannah Road Marac Village, Moruga	February 16, 2018	18
5. Diego Martin North Secondary School	St Lucien Road, Diego Martin	February 22, 2018	128
6. Cunupia Secondary School	Jerningham Junction	March 5, 2018	70
7. Preysal Secondary School	Old Southern Main Road, Preysal	March 7, 2018	52
8. North Eastern College	Graham Trace, Ojoe Road, Sangre Grande	March 8, 2018	130
9. St. Augustine Secondary School	St. Augustine	March 9, 2018	75
10. TTCONNECT- Powergen	Penal	March 12, 2018	18
11. TTCONNECT- Powergen	Point Lisas	March 19, 2018	16
12. TTCONNECT-Hadco	San Juan	April 10, 2018	18
13. TTCONNECT- FCB	DHL Building, El Socorro	April 16, 2018	11
14. TTCONNECT- British American	San Juan	April 24, 2018	23
15. MPAC Public Service Outreach	Gulf View Mall, San Fernando	April 28, 2018	480
16. JCC- Cunupia Secondary School	Cunupia	May 1, 2018	75
17. JCC- Fyzabad Anglican School	Fyzabad	May 4, 2018	60

18. JCC-Couva West Secondary	Couva	May 8, 2018	65
19. Manzanilla Secondary	Manzanilla, JCC National Training Agency	May 9, 2018	55
20. Point Fortin West Secondary	Point Fortin, JCC National Training Agency	May 16, 2018	130
21. El Dorado West Secondary	El Dorado, JCC National Training Agency	May 18, 2018	92
22. Ministry of Public Administration and Communications-Public Service Outreach	Trincity Mall, Trincity	May 25, 2018	300
23. Central Bank, Eric Williams Complex	Independence Square, Port of Spain	June 6, 2018	18
24. Telecommunications Services of Trinidad and Tobago (TSTT)	Henry Street, Port of Spain	June 22, 2018	14
25. MASSY Distribution	Corner Macoya Road, Churchill Roosevelt Highway, Trincity	July 13, 2018	19
26. Family Court of Trinidad and Tobago	Cipriani Boulevard, Port of Spain	July 16, 2018	12
27. Ministry of Public Administration and Communications-Outreach	Trincity Mall, Trincity	July 19, 2018	82
28. Ministry of Public Administration and Communications-Outreach	Trincity Mall, Trincity	July 20, 2018	46
29. Palo Seco Credit Union	Palo Seco	October 26, 2018	23
30. Success Laventille Networking Committee-YORUBA Village	Success Laventille Community Centre, Laventille	November 1, 2018	31
			2,288

Appendix III: Non-Compliant Public Authorities – Submission of Quarterly Return Forms¹⁹

- | | | |
|--|--|--|
| 1. Adoption Board | 19. Caribbean Investment Corporation | 36. Council for Innovation and Competitiveness |
| 2. Advisory Town Planning Panel | 20. Caribbean Leasing Company Ltd | 37. Council of Legal Education |
| 3. Agricultural Society of Trinidad and Tobago | 21. Caribbean Microfinance Ltd | 38. Couva/Tabaquite/Talparo Regional Corporation |
| 4. Air Transport Licensing Authority | 22. Carnival Institute | 39. Creative TT |
| 5. Alutech Limited | 23. Caroni 1975 Ltd | 40. Criminal Injuries Compensation Board |
| 6. Alutrint Limited | 24. Caribbean Airlines | 41. Criminal Justice System |
| 7. Anti Corruption Investigation Bureau | 25. Central Authority | 42. Defence Council |
| 8. Archaeological Committee | 26. Chaguanas Borough Corporation | 43. Defence Force Commission Board |
| 9. Arima Borough Corporation | 27. Children’s Authority | 44. Dental council of Trinidad and Tobago |
| 10. Betting Levy Board | 28. Cipriani College of Labour and Cooperative Studies | 45. Development Company Limited |
| 11. Board of Film Censors | 29. Citizen Security Programme | 46. Diego Martin Regional Corporation |
| 12. Board of Industrial Training | 30. Civilian Conservation Corps | 47. Div. Community Dev, Youth Dev & Sport |
| 13. Boards Regulating and the Practice of Medicine and Related Professionals | 31. Cocoa Development Company of Trinidad and Tobago | 48. Div. Education, Research & Technology |
| 14. Boilers Examiners Board | 32. Colonial Life Insurance Company Ltd | 49. Div. Finance, Trade & the Economy |
| 15. Caribbean Agricultural Research and Development Institute | 33. Community Based Environment Protection Enhancement Programme | 50. Div. Food Security, Natural Resources and the Env. and Sustainable Dev |
| 16. Caribbean Development Network Ltd | 34. Community Improvement Services Ltd | 51. Div. Health, Wellness & Social Protection |
| 17. Caribbean Food Corporation | 35. COSTAATT | |

¹⁹ This list of non-compliant public authorities may include entities that are defunct.

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| 52. Div. Settlements, Public Utilities, Rural Development | 71. Green Fund Advisory Committee | 91. Minimum Wages Board |
| 53. Div. Tourism, Culture, Antiquities and Transportation | 72. Housing Development Corporation Corporation (HDC) | 92. Ministry of Labour |
| 54. Drug Advisory Committee | 73. Hugh Wooding Law School | 93. Ministry of Works and Transport |
| 55. East Port of Spain Development Company Ltd | 74. Immigration Division | 94. NAPA Hotel |
| 56. East Side Plaza | 75. Industrial Court | 95. Naparima Bowl |
| 57. Eastern Caribbean Institute of Agriculture and Forestry (ECIAF) | 76. Infrastructure, Quarries & Urban Development | 96. National Academy for the Performing Arts |
| 58. Eastern Regional Health Authority | 77. Intellectual Property | 97. National Agricultural Marketing and Development Corporation |
| 59. Economic Development Board | 78. Interdisciplinary Child Development Centre | 98. National Agro Chemical Ltd |
| 60. Education Facilities Company Limited | 79. INVESTT | 99. National Association of Village and Community Councils |
| 61. Emergency Medical Personnel Council of Trinidad and Tobago | 80. La Brea Industrial Development Corporation | 100. National Broadcasting Network |
| 62. Environmental Commission | 81. Lake Asphalt of Trinidad and Tobago (1978) Limited | 101. National Carnival Commission |
| 63. Equal Opportunities Tribunal | 82. Land Survey Board of Trinidad and Tobago | 102. National Commission for Self Help |
| 64. Estate Management and Business Development Company Ltd | 83. Law Reform Commission | 103. National Emergency Ambulance Service Authority |
| 65. Evolving TecKnologies and Enterprise Dev Co Ltd | 84. Law Revision Commission | 104. National Energy Corporation of Trinidad and Tobago |
| 66. Export Centres Company Ltd | 85. Legal Aid and Advisory Authority | 105. National Energy Skills Centre (NESC) |
| 67. Export TT | 86. LIAT Limited | 106. National flour Mills |
| 68. Fair Trading commission | 87. Livestock and Livestock Products Board | 107. National Infrastructure Development Company Limited |
| 69. Food Advisory Committee | 88. Medical Council of Trinidad and Tobago | 108. National Insurance Appeals Tribunal |
| 70. Friendly Societies | 89. MIC Institute of Technology (MIC-IT) | 109. National Insurance Board |
| | 90. Military-led Academic Training Programme | |

110. National Insurance Property Development Company Ltd	128. Point Lisas Port Development Corporation Ltd	147. Office of Disaster Preparedness and Management
111. National Library and Information Systems Authority	129. Port Authority of Trinidad and Tobago	148. Office of Solicitor General
112. National Mentorship Programme	130. Port-of-Spain City Corporation	149. Office of the Director of Public Prosecutions
113. National Museum and art Gallery	131. Powergen	150. Opticians Council of Trinidad and Tobago
114. National Operations Centre	132. Premier Services Ltd	151. Palo Seco Agricultural Enterprises Ltd
115. National Population Council	133. Prices Council	152. Penal/Debe Regional Corporation
116. National Productivity Council	134. Princes Town Regional Corporation	153. Pesticides and Toxic Chemicals Board
117. National Quarries Company Limited	135. Princess Elizabeth Home for the Handicapped Children	154. Pharmacy council of Trinidad and Tobago
118. National Reforestation and Watershed Rehabilitation Programme	136. Public Transport Service Corporation	155. Registrar General
119. National Schools Dietary Services Limited	137. Queens Hall	156. Registration, Recognition, and Certification Board
120. National Steel Symphony Orchestra	138. New City Mall	157. Rent Assessment Board
121. National Theatre Arts Company	139. NGC NGLM Company Ltd	158. Rum Distillers Ltd
122. National Training Agency	140. NGC TT NGL Ltd	159. San Fernando City Corporation
123. National Trust Organisation	141. NIHERST	160. San Juan/Laventille Regional Corporation
124. National Cultural Commission	142. North Central Regional Health Authority	161. Sangre Grande Regional Corporation
125. NATPET Investment Company	143. Nurses and Midwives Council of Trinidad and Tobago	162. Seafoods Industry Development Company Ltd
126. NATSTAR Manufacturing Company Ltd	144. Occupational Safety and Health Authority	163. Sentencing Commission
127. Point Fortin Borough Corporation	145. Office of the Chief State Solicitor	164. Siparia Regional Corporation
	146. Office of Chief Parliamentary Counsel	165. Sport and Culture Board of Management

166.Sport Company of Trinidad and Tobago	182.Trinidad and Tobago Blind Welfare Association	195.Trinidad and Tobago Prison Service
167.St Jude`s School for Girls	183.Trinidad and Tobago Boxing Board of Control	196.Trinidad and Tobago Racing Authority
168.St Michael`s School for Boys	184.Trinidad and Tobago Bureau of Standards	197.Trinidad Nitrogen Company Ltd
169.St. Dominic`s Home	185.Trinidad and Tobago Cadet Force	198.Trinidad Northern Areas Ltd
170.St. Mary`s Home	186.Trinidad and Tobago Civil Aviation Authority	199.TRINMAR Ltd
171.Sugar Industry Labour Welfare Committee	187.Trinidad and Tobago Defence Force	200.TRINTOC Services Ltd
172.Sugar Manufacturing Company Ltd	188.Trinidad and Tobago Development Finance Ltd	201.TT Connect Service Centres
173.Tax Appeal Board	189.Trinidad and Tobago Fire Service	202.TT LNG
174.Telecommunications Services of Trinidad and Tobago Ltd	190.Trinidad and Tobago Forensic Science Centre	203.TT Marine Petroleum Company Ltd
175.Tobago House of Assembly	191.Trinidad and Tobago Forest Products Company	204.Tunapuna/Piarco Regional Corporation
176.Tourism and Industrial Development Company	192.Trinidad and Tobago Hospitality and Tourism Institute	205.Union Estate Electricity Generation Company Limited
177.Tourism Development Company of Trinidad and Tobago	193.Trinidad and Tobago National Petroleum Marketing Company Limited	206.University of the West Indies (UWI) –Open Campus
178.Transport Board	194.Trinidad and Tobago Police Service	207.UTT
179.Trinidad and Tobago Anti-Doping Organization		208.Youth training Centre Board of Management
180.Trinidad and Tobago Association for Retarded Children		209.Youth Training Education Partnership Programme
181.Trinidad and Tobago Association in Aid of Deaf		210.Zoological Society of Trinidad and Tobago

Appendix IV: Number of Freedom of Information Requests received by Public Authorities for the Year 2018

Name of Public Authority	No. of Requests
1. Airports Authority of Trinidad and Tobago	26
2. Caribbean Airlines Limited	20
3. Caribbean New Media Group Limited/TTT	1
4. Central Tenders Board	4
5. Chaguaramas Development Authority	1
6. Customs and Excise Division	0
7. Electrical Inspectorate Division	0*
8. Environmental Management Authority	67
9. Equal Opportunity Commission	22
10. Inland Revenue Division	60
11. Institute of Marine Affairs	0*
12. Land Settlement Agency	0*
13. Mayaro/Rio Claro Regional Corporation	2
14. Meteorological Services Division	7
15. Ministry of Agriculture, Land and Marine Affairs	66
16. Ministry of Communications	0*
17. Ministry of Community Development, Culture and the Arts	5
18. Ministry of Education	145
19. Ministry of Finance	28
20. Ministry of Finance (Economic Management Division)	0*
21. Ministry of Foreign and CARICOM Affairs	5
22. Ministry of Health	20
23. Ministry of Housing and Urban Development	29
24. Ministry of Planning and Development	22
25. Ministry of Public Administration and Communications	13
26. Ministry of Public Utilities	5
27. Ministry of Rural Development and Local Government	4
28. Ministry of Sport and Youth Affairs	3
29. Ministry of the Attorney General and Legal Affairs	25
30. Ministry of Tourism	2
31. Ministry of Trade and Industry	1

Name of Public Authority	No. of Requests
32. Ministry of Works and Transport	22
33. National Information and Communication Technology Company Limited	0*
34. National Lotteries Control Board	0*
35. National Maintenance Training and Security Company Limited (MTS)	1
36. Office of the Parliament	1
37. Office of the Prime Minister	18
38. Office of the Supervisory of Insolvency	8
39. Personnel Department (Office of the Chief Personnel Officer)	45
40. Phoenix Park Gas Processors Limited	1
41. Pilotage Authority of Trinidad and Tobago	0*
42. Point Fortin Borough Corporation	11
43. Port Authority of Trinidad and Tobago	11
44. Prison Service of Trinidad and Tobago	36
45. Regulated Industries Commission	3
46. Rural Development Company of Trinidad and Tobago Limited	0*
47. Service Commissions Department	913
48. The Accreditation Council of Trinidad and Tobago	0*
49. The Financial Intelligence Unit of Trinidad and Tobago	0
50. The National Gas Company of Trinidad and Tobago	1
51. The North West Regional Health Authority	155
52. The Vehicle Management Corporation of Trinidad and Tobago	0*
53. Treasury Division	11
54. Trinidad and Tobago Electricity Commission	12
55. Trinidad and Tobago Free Zones Company Limited	0*
56. Trinidad and Tobago Securities & Exchange Commission	1
57. Trinidad and Tobago Solid Waste Management Company Limited	18
58. TTT Limited	6
59. Urban Development Corporation of Trinidad and Tobago Limited (UDECOTT)	30
60. Water and Sewerage Authority of Trinidad and Tobago	102

*This denotes that quarterly statements were filed by the Public Authorities and no FOI requests were received for the year

Appendix V: Complaints to the Ombudsman

Public Authority	Reasons for the Complaint	Outcome
<p>1. Diego Martin Regional Corporation</p> <p>10 Jan 2018</p>	<p>The complainant requested minutes of the Corporation’s meetings and was denied access</p>	<p>The Ombudsman reviewed the matter and advised the applicant by letter dated January 29, 2018 that the decision given to him was found to be acceptable.</p>
<p>2. Ministry of National Security</p> <p>28 Feb 2018</p>	<p>The matter falls outside the thirty-day (30) limit pursuant to section 38A of the FOIA</p>	<p>The applicant was advised by letter dated March 1, 2018 that she can seek Judicial Review in accordance with section 39 of the FOIA.</p>
<p>3. Port-of-Spain City Corporation</p> <p>3 Apr 2018</p>	<p>The applicant requested access to information as it pertains to denial of further employment.</p>	<p>The Ombudsman reviewed the matter and agreed with the response given to the applicant by the Chief Executive Officer, Port-of-Spain City Corporation that certain documents were exempt.</p>
<p>4. Ministry of Education</p> <p>28 Feb 2018</p>	<p>The applicant sought access to report done by the School Supervisor on her son and was denied access by virtue of section 27 (1) of the Freedom of Information Act.</p>	<p>A meeting with the Ministry of Education representatives was held on April 20, 2018. The Ministry advised that the requested report will be given.</p>
<p>5. Ministry of Finance-Inland Revenue Division</p> <p>12 Apr 2018</p>	<p>The applicant requested access to his Income Tax Return Forms for the period 1995 to 2015. He was supplied with copies from 2007 to 2015 but was informed that access to earlier files (1995 to 2006) would “require inordinate amount of resources that are not available”.</p>	<p>The Ombudsman agreed with the response given by the Chairman, Inland Revenue Division. The applicant was advised accordingly.</p>

Public Authority	Reasons for the Complaint	Outcome
6. Judicial and Legal Service Commission 12 April 2018	<p>The applicant sought access to “findings of an investigation done by the Chief Justice and provided to the Commission”. She was advised that the findings were given orally and no document could be provided.</p>	<p>A letter was sent to the complainant dated April 16, 2018. The Ombudsman informed the complainant that no document exists.</p>
7. Office of the Ombudsman 7 May 2018	<p>The applicant sought access to a file in the Office of the Ombudsman that pertains to another complainant.</p>	<p>The applicant was informed that the Office of the Ombudsman is not a “public authority” for the purposes of the FOIA. Further, section 98 (7) of the Constitution was cited.</p>
8. Ministry of Works and Transport Ministry of Agriculture, Lands and Fisheries. 17 Apr 2018	<p>The applicant sought access to a Deed of Lease/Deed of Licence from the two (2) Ministries. The Ministry of Works and Transport advised that it did not have the requested document while the Ministry of Agriculture, Lands and Fisheries stated that the search was ongoing.</p>	<p>The applicant was advised that the response to the application for access was more than sixteen months old and as such falls outside the time limits set by the FOIA.</p>
9. The Caribbean Industrial Research Institute (CARIRI) 25 May 2018	<p>The applicant sought access to information and was denied under several headings of the exempt documents by the attorney of CARIRI</p>	
10. Petroleum Company of Trinidad and Tobago Limited (Petrotrin) 4 June 2018	<p>The applicant sought a review of the response given to her by Petrotrin.</p>	<p>A letter to the complainant dated June 6, 2018 was sent. The letter outlined the position discussed via telephone.</p>

Public Authority	Reasons for the Complaint	Outcome
11. The North West Regional Health Authority (NWRHA) 6 June 2018	<p>The applicant requested policy document from the NWRHA. However, the public authority has not responded.</p>	<p>A letter to the complainant dated June 8, 2018 was dispatched advising that the Ombudsman has no jurisdiction to proceed under the provisions of the FOIA.</p>
12. North Central Regional Health Authority (NCRHA) 28 June 2018	<p>The applicant made two requests for access to official documents of the NCRHA on- March 16, 2018 and; April 6, 2018</p> <p>The request for assistance was made on June 8, 2018.</p>	<p>The complainant advised that the non-response to his request entitled him to apply to the High Court for Judicial Review.</p>
13. Service Commission Department 2 July 2018	<p>Failure by the Public Authority to respond and pursuant to section 39 (3) applicant advised to apply to High Court for Judicial Review</p>	<p>By letter dated July 3, 2018, the applicant was advised to proceed for Judicial Review.</p>
14. Tobago Regional Health Authority 12 July 2018	<p>Non-response by the Tobago Regional Health Authority</p>	<p>By letter dated July 12, 2018, the applicant was advised to proceed for judicial review pursuant to section 39 (3) of the FOIA.</p>
15. Ministry of Finance 12 July 2018	<p>Non-response by the Ministry of Finance</p>	<p>Applicant advised by letter dated July 13, 2018 that the Ombudsman has no jurisdiction to review. As such, the applicant was advised to proceed for judicial review.</p>
16. North West Regional Health Authority (NWRHA) 26 July 2018	<p>Non-response by the NWRHA</p>	<p>The Ombudsman has no jurisdiction to conduct review. The applicant was advised accordingly.</p>

Public Authority	Reasons for the Complaint	Outcome
17. Ministry of Energy and Energy Industries (MEEI) 8 Aug 2018	MEEI was invited to a meeting with the Ombudsman on August 20, 2018.	The Ombudsman agreed with MEEI re: the exemption of the Audited Reports that were requested by the applicant.
18. PowerGen 13 Sept 2018	The applicant by email dated September 26, 2018 requested that this matter be discontinued	Matter closed.
19. Ministry of Health 14 Sept 2018	Letter dated September 26, 2018 to the Ministry of Health and applicant inviting public meeting to a meeting with the Office of the Ombudsman.	
20. Ministry of Education 25 Oct 2018	Non-response by MOE	FOI request made April 13th, 2018. Applicant advised to proceed for Judicial Review
21. North West Regional Health Authority (NWRHA) 8 Nov 2018	Non-Response by NWRHA	Ombudsman has no jurisdiction to conduct review. Applicant advised accordingly.
22. Couva/Tabaquite/Talparo Regional Corporation (CTTRC) 6 Dec 2018	Letter dated December 11th 2018 sent to Complainant	Ombudsman agreed with response given by CTTRC. Complainant informed accordingly.
23. Ministry of Planning and Development - Town and Country Planning Division –San Fernando 19 Dec 2018	Non-response to FOI request dated October 1st 2018.	Ombudsman has no jurisdiction to conduct review. Applicant advised accordingly.

Appendix VI: Public Authorities Reading Room

Public Authority	Documents normally on Display in the Reading Room
<p>1. Equal Opportunity Commission</p> <p>55-57 Manic Street Chaguanas. 8:00am – 4:00pm</p>	<ul style="list-style-type: none"> • No documents are readily available due to sensitivity and confidentiality of information.
<p>2. Ministry of Planning and Development</p> <p>Level 6, Eric Williams Finance Building Port of Spain. Opening Hours</p> <p>Monday – Friday 8:30am – 3:30pm</p>	<ul style="list-style-type: none"> • Copies of Legislation • Public Sector Investment Documents • Policies of Agencies under the Min. of Planning and Development • Reports from Government Agencies • Administrative Reports of the Ministry • Financial Reports
<p>3. Ministry of Trade, Industry, Investment and Communications</p> <p>Located level 15 63-65 Independence Square Port of Spain</p> <p>Monday – Friday 8:00am – 4:00pm</p>	<ul style="list-style-type: none"> • Books, Journals • Articles, periodicals • Magazines, Catalogues, Brochures
<p>4. Phoenix Park Gas Processors Limited</p> <p>Furness Building, Cor. Wrightson Road and Independence Square, Port of Spain</p>	<ul style="list-style-type: none"> • No information was supplied

Public Authority	Documents normally on Display in the Reading Room
<p>5. Regulated Industries Commission</p> <p>1st two floors Furness Building Cor. Wrightson Road Independence Square Port of Spain</p> <p>Opening Hours 8:00am – 4:pm</p>	<ul style="list-style-type: none"> • Books • Journals and Newsletters • Government Documents • Regulated Industries Commission research papers • Legislation – Regulated industries commission • Water and Sewerage Authority • Tobago Electricity Commission annual reports • Resources on various aspects of utility regulation
<p>6. Services Commissions Department</p>	<ul style="list-style-type: none"> • There is a reading area within the Freedom of Information Unit. By appointment only.
<p>7. Water and Sewerage Authority of Trinidad and Tobago</p> <p>Head Office Farm Road, St Joseph</p> <p>Monday – Friday 8:00am – 4:00pm</p>	<ul style="list-style-type: none"> • WASA’s Corporate Business Plans • Training Policies & Procedures • Operation & Maintenance Manuals • Feasibility Studies of Water supply projects • American Water and Wastewater Standards • Water Rehabilitation Projects • Standard Operation Procedures for Water Treatment Plants
<p>8. Land Settlement Agency</p> <p>Research Section Corporate Services Unit Executive Building Ground Floor Land Settlement Agency Orange Grove Road South Orange Grove Estate Tacarigua</p> <p>Monday- Friday 9:00am – 3:00pm</p>	<ul style="list-style-type: none"> • LSA’s Strategic Plans • Achievement Reports • Valuation Reports prepared by the commissioner of Valuations for Sites Listed in the Schedule of the State Land (Regularizations of Tenure) Act No. 25 of 1998 • Environmental Impact • Statements/Reports • Technical Journals • Brochures of the Land Settlement Agency • Technical Books – Statistics, Information Technology, Housing

Public Authority	Documents normally on Display in the Reading Room
<p>9. Institute of Marine Affairs</p> <p>Hilltop Lane Chaguaramas</p> <p>Opening Hours 8:00am – 4:00pm</p>	<ul style="list-style-type: none"> • Research Reports (IMA) • Environmental Reports (IMA) • Journals • Laws of Republic of Trinidad and Tobago • FAO Publication (Fisheries & Oceanography) • United nations publications
<p>10. Mayaro-Rio Claro Regional Corporation</p> <p>Basement floor of Main Office Building. Opening Hours</p> <p>Mondays – Thursday 8:00am – 4:15pm Fridays – 8:00am – 4:00pm</p>	<ul style="list-style-type: none"> • Certificate of Environmental clearance located in the lobby area of the main building.
<p>11. National Information and Communication Technology Company Limited (iGovTT)</p> <p>Located Ground Floor Lord Harris Court 52 Pembroke Street Port of Spain</p> <p>Opening Hours Monday – Friday 8:00am – 4:00pm</p>	<ul style="list-style-type: none"> • iGovTT Strategic Plan • iGovTT Annual Reports • National ICT Plans • Copies of the International Organisation for Standardization(10001-10004). • ttconnect promotional brochures • iGovTT promotional brochures • Various reading materials relating to Governance and ICT
<p>12. Ministry of Planning and Development</p> <p>Level 6, Eric Williams Finance Building Port of Spain</p> <p>Opening Hours Mondays to Fridays 8:30am – 3:30pm</p>	<ul style="list-style-type: none"> • Copies of Legislation • Public Sector Investment Documents • Policies of Agencies under the ministry of Planning and Development • Reports from Government Agencies • Administrative Reports of the Ministry • Financial Reports