



The Government of the Republic of Trinidad and Tobago

Ministry of Information

Freedom of Information Act, 1999

Annual Report to Parliament 2008



Your Key to Unlocking Government

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MINISTER'S FOREWORD



The Honourable Neil Parsanlal
MINISTER OF INFORMATION

The man widely regarded as the “Father of the American Constitution”, James Madison, once wrote: “A popular government without popular information or the means of acquiring it is but a prologue to farce or tragedy or perhaps both. Knowledge will forever govern ignorance, and a people who mean to be their own Governors must arm themselves with the power knowledge gives.”

There is no question that the Freedom of Information Act 1999 (FOIA) is one of the means through which citizens can arm themselves with knowledge that will separate fact from fiction and indisputable truth from rumour and conjecture. Access to information is a critical cornerstone of our democracy and a most powerful tool – which FOIA facilitates - in the arsenal of journalists and non-governmental organizations.

Based on the statistics for 2008 which are presented in this Annual report, there has been a 41 per cent increase in the number of FOI requests over 2007 and an approximately 80 per cent increase over 2006. The most requested category of information continues to be persons’ personal records, followed by the internal workings of government ministries and agencies.

What is noted today is that a critical pillar of our society – the free press – seems to be making very little use of the provisions of the FOIA in their search for truth. While some media personnel have argued about the length of time involved in the process of acquiring the information, the imperative to provide audiences with accurate and balanced information must outweigh the commercial or sensational imperatives.

The information is accessible and available upon request, subject to certain specific and limited exemptions. Of the 753 requests made in 2008, 91 percent were either granted fully or in part, and only 7 per cent refused in their entirety. This represents a five per cent increase over 2007 and an eight per cent increase over 2006.

Members of the media are in the best position to educate and inform citizens about the importance of the Freedom of Information laws. They have the ability not only to report information gathered under FOI laws, but to inform citizens where they got it, how they were able to access it, and why continued public access to it is important. Before they can do any of that however, they must first, make use of law, themselves.

As we seek to create this knowledge based society, I urge all our citizens to be more proactive in their thirst for information, to broaden the avenues through which they access their information and indeed, rather than depend solely on the media, to instead seek for themselves the information that would, and indeed, could transform their everyday lives.

EXECUTIVE SUMMARY

The Freedom of Information Act, 1999, affords members of the public the right of access to information in the possession of public authorities - subject to certain specific and limited exemptions.

Section 40 (1) of the Act requires that the Minister with responsibility for Information, as soon as practicable after the end of each year, prepare a report on the operation of the Act to be laid before each House of Parliament, and that Ministers with responsibility for public authorities within their portfolios, furnish to the Minister such information as required for the preparation of the report.

This is the Sixth Report on the Freedom of Information Act, (FOIA) 1999, as amended, and covers the period January 1 to December 31, 2008. The main highlights regarding usage of the Act are as follows:

Summary Data - Section 40 (3)		
(a)	The number of requests made to public authorities	753
(b)	The number of decisions that an applicant was not entitled to access to a document pursuant to a request	49
(c)	The number of applications for judicial review of decisions under this Act	9
(d)	The number of complaints made to the Ombudsman with respect to the operation of this Act and the nature of those complaints;	23
(e)	The number of notices served upon each public authority under section 10(1).	0
(f)	Disciplinary action taken against any officer in respect of the administration of this Act	None taken
(g)	The amount of charges collected by each public authority under this Act	\$ 0
(h)	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	See Detailed Data (Appendix I)
(i)	Any other facts, which indicate an effort by public authorities to administer and implement the spirit and intention of this Act	See Detailed Data (Appendix II)

“ Information is the Oxygen of Democracy ”

Article 19¹

1 Article 19 “The Public’s Right to Know: Principles on Freedom of Information Legislation”, <http://www.article19.org/pdfs/standards/righttoknow.pdf> (accessed on July 16th, 2009)

INTRODUCTION

It is essential to the proper functioning of a democratic state that citizens should be better informed about the activities of government. Better informed citizens can more clearly articulate their concerns and views about important issues and more effectively challenge decisions which affect them. Hopefully, this will lead to greater participation in public debate on important issues. As stated in the Public's Right to Know by Article 19:

“Information is the Oxygen of Democracy. If people do not know what is happening in their society, if the actions of those who rule them are hidden, then they cannot take a meaningful part in the affairs of that society”

One of the great concerns in any society governed by the Rule of Law is the use, or more importantly, the misuse of administrative discretion by public authorities. Every day thousands of administrative decisions are taken by public authorities affecting citizens, each of whom is rightly concerned that he or she be treated properly, fairly and impartially.

Although the principles of Freedom of Information (FOI) have been around for over 200 years, they are still evolving. Within the last decade many countries have adopted legislation that promote the principles of allowing citizens access to information held by government. This has been due in part to increased demands for information by civil society organizations, the media and international lenders.

Two of the major values underlying the FOI concept are those of accountability and transparency. Political accountability requires elected representatives, at fixed intervals, to put themselves before the people for reelection. Accountability for the management and use of resources is another form of accountability with which we are all familiar. However, in the context of the individual dealing with a public body, FOI is concerned primarily with administrative accountability. This is the process of ensuring that public service activities and, in particular, the exercise of decision-making powers are carried out not only in a proper legal manner but in a manner consistent with fairness and good administrative practice.

The notion of transparency is based on the assumption that citizens are capable of interpreting information and reaching sensible conclusions. This is in contrast to the view that policy development and decision-making in public affairs should be the preserve of those “insiders” who “understand” the issues and who alone should decide who should be consulted. In this latter model, consultation is the privilege of the few, and the views of others, whether ordinary citizens or the media, are ignored or dismissed as a hindrance to the process.

In essence therefore, FOI generally gives any person who is affected, either directly or indirectly, by an act of a public body, the right to be given reasons for the act and to be informed of any findings on any material issues of fact made for the purposes of the act. When citizens have access to information, and understand how to use it, they become empowered. This empowerment introduces a new element of accountability into the system. Through Freedom of Information legislation, citizens can have the information which enables them to debate, question and judge individual decisions. In a tangible way this introduces an element of direct accountability of public bodies to the individual citizen.

“Freedom of Information is a fundamental human right and the touchstone for all freedoms to which the United Nations is consecrated.”

United Nation General Assembly 1946²

2 UN General Assembly, (1946) Resolution 59(1), 65th Plenary Meeting, December 14, 1946 <http://daccessdds.un.org/doc/RESOLUTION/GEN/NR0/033/10/IMG/NR003310.pdf?OpenElement> (accessed on July 16th, 2009)

THE FREEDOM OF INFORMATION ACT, 1999

The May 1999 meeting of Commonwealth Law Ministers held in Trinidad and Tobago provided the impetus for the design and passage of this legislation. At this meeting the principle of “good governance” was accepted and the need for public law reform in respect of this principle was identified as a priority by the participating Governments. The Freedom of Information Act 1999 (FOIA) came into effect by Proclamation on 20th November, 2000 for Part I and February 20, 2001 for the remaining parts.

The Act provides a legally enforceable right to members of the public to seek access to information, usually a document held by public authorities, limited only by the requirements to protect certain essential public and private interests. These documents include those in the custody or possession of Cabinet, Ministries, Departments, Statutory Corporations and State owned corporations.

The Act also creates a right to ensure the amendment of records containing personal information that is incomplete, incorrect, outdated, or misleading, or irrelevant to the purpose for which it is being held by the “public authority”.

The FOIA enshrines the concept that information collected and generated by government, is a resource of the people, for the people and is to be accessible as freely as possible by the people. The Act should not displace formal procedures for access to information but should be regarded as a legislative “last resort.”

In moving from an era of official secrecy to one of greater openness, it is important to ensure that the individual’s right to privacy and the legitimate interests of the State are both protected. Some commentators, in criticising what they see as the excessively restrictive nature of the FOI Act, have failed to appreciate the need for such safeguards.

The Act gives the citizen two important new legal rights viz.

1. the right of access to official records held by public bodies;
2. the right to have personal information about them held by such bodies corrected or updated where necessary;

The first of these rights is concerned with access to records. Of course, few people are concerned with the records themselves but with the information which they contain. So, in a real sense the Act is concerned with the right of citizens to be informed about the past, present and future activities of public bodies both in their capacity as individuals and as members of the wider community.

Within any country, the government can be considered to be the largest repository of personal information of its citizens. It is because of this, the Act, gives citizens the right not only to be able to see what information is held on them by Public Authorities, but also the right to have erroneous or out dated information corrected.

STATISTICS FOR THE PERIOD 2005 - 2008

Figure 1: Total requests received during the period 2005 - 2008

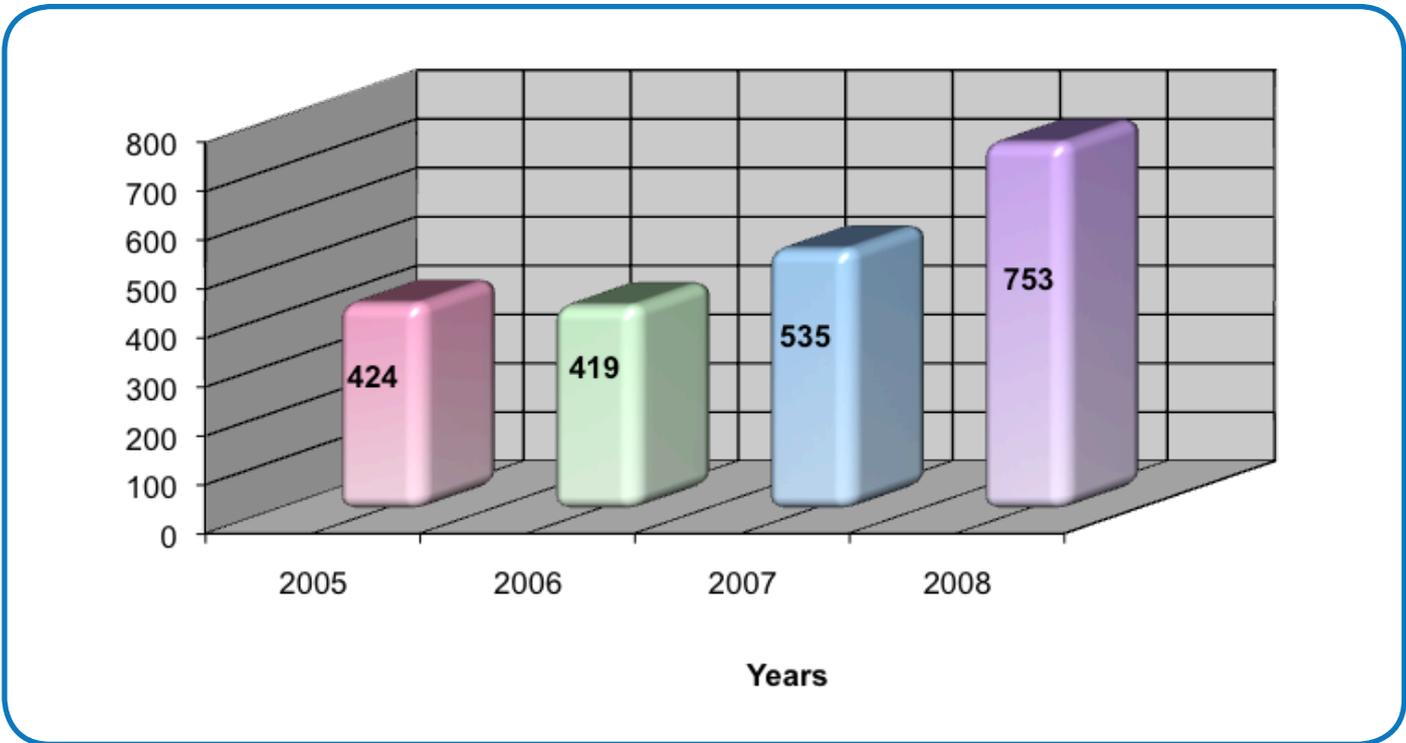


Figure 2: Process time for requests 2005 - 2008

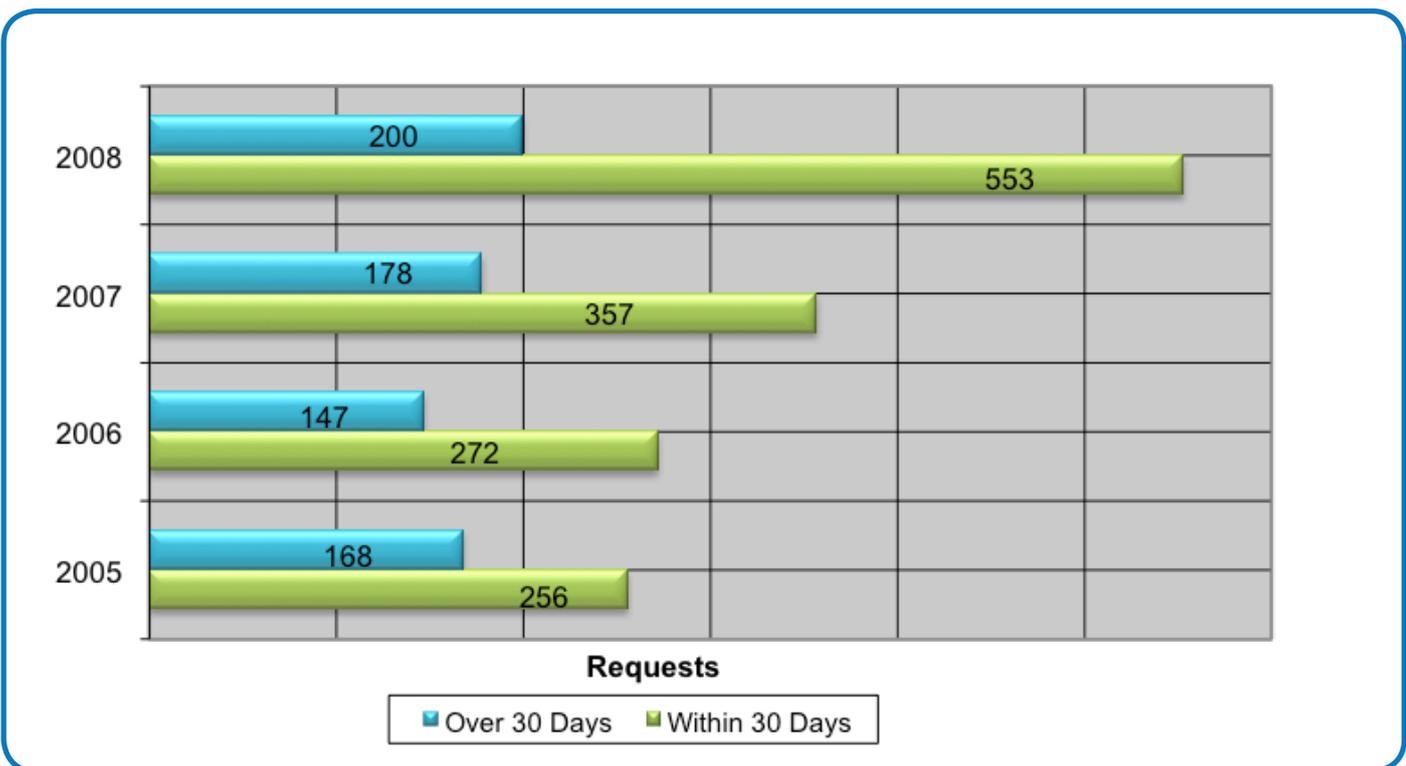


Figure 3: Action taken on requests 2005 - 2008

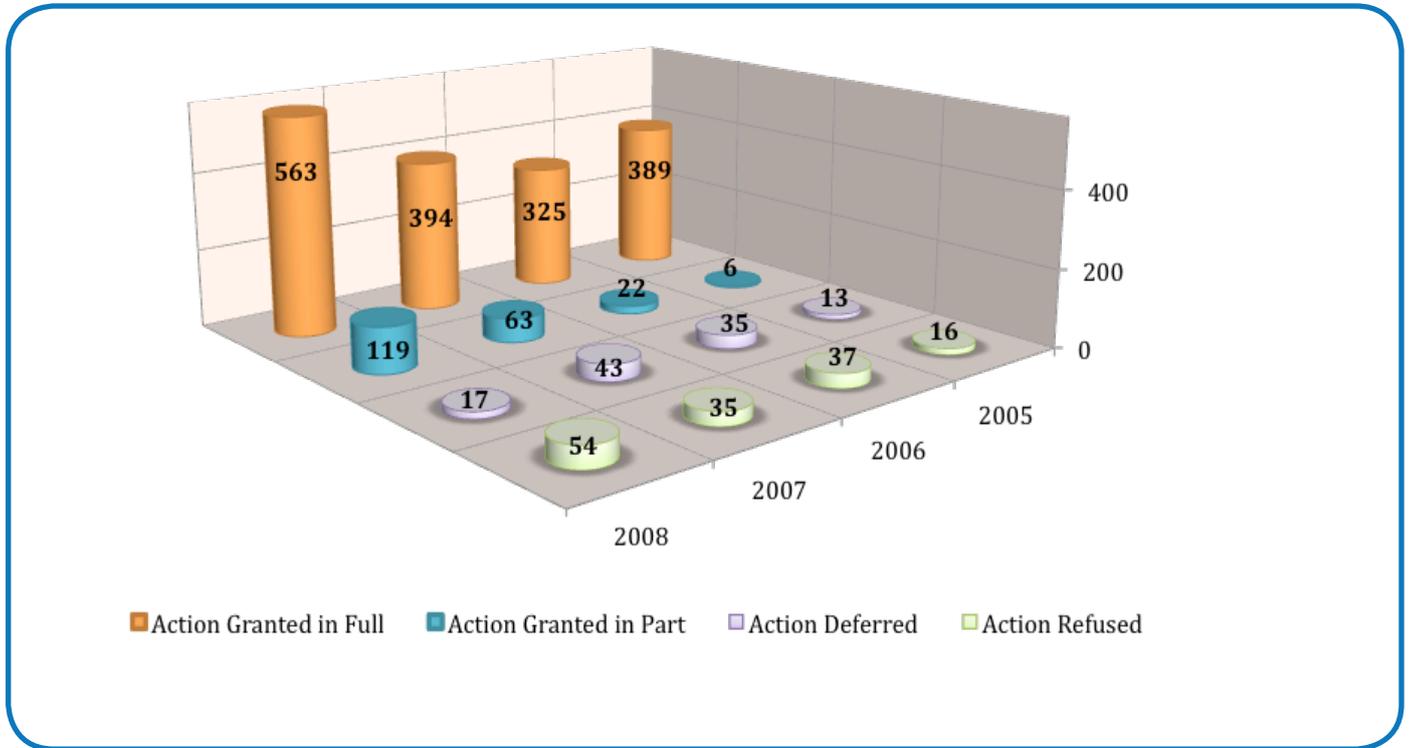
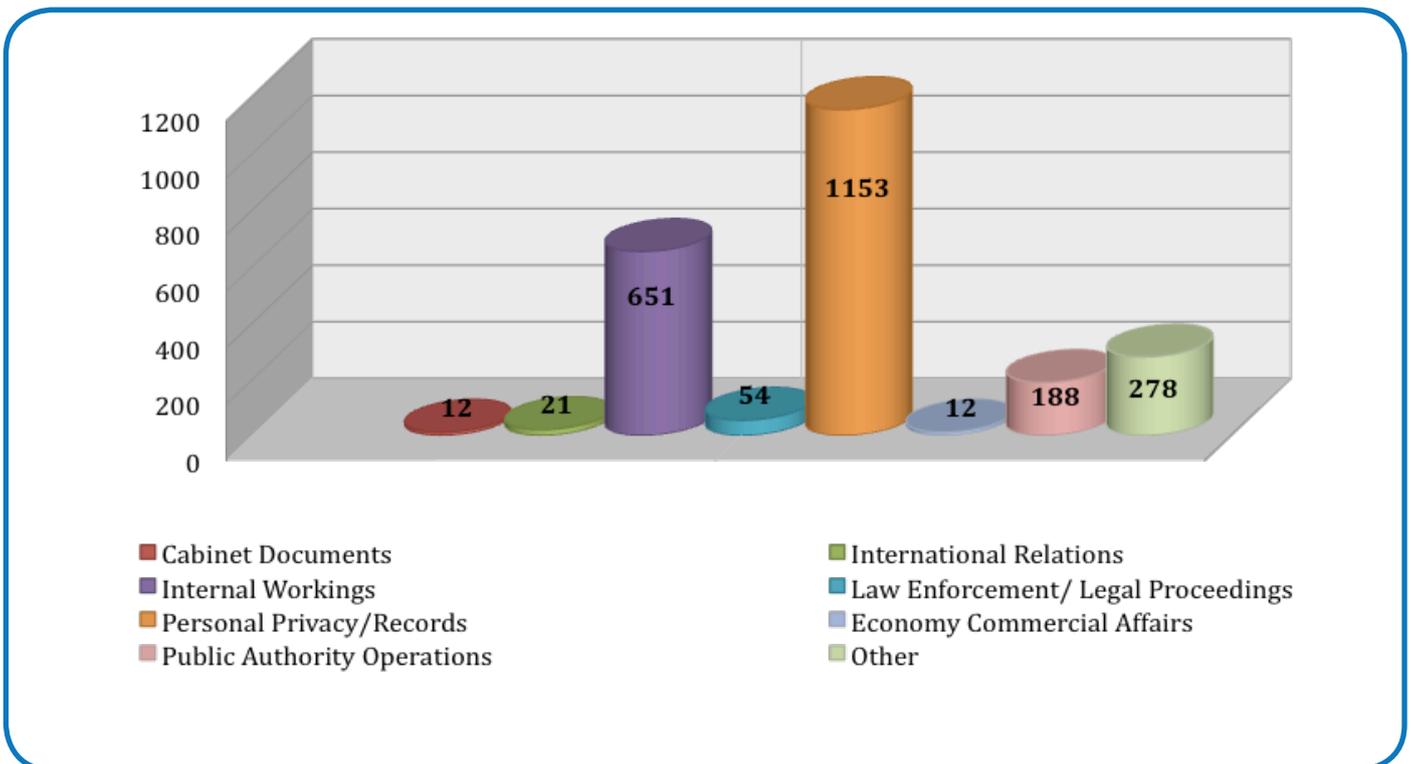


Figure 4: Most requested categories 2005 - 2008



“Access to information held by the state is a fundamental right of every individual. States have the obligation to guarantee the full exercise of this right.”

Inter-American Commission on Human Rights, Principle 14³

3 Inter-American Commission on Human Rights; Declarations of Principles on Freedom of Expression, <http://www.cidh.org/Basicos/English/Basic21.Principles%20Freedom%20of%20Expression.htm>, (accessed on July 15th 2009)

OPERATIONS OF ACT IN 2008

ADMINISTRATION OF THE ACT - MAIN ACTIVITIES

Since November 2007, the administering and monitoring function for the Freedom of Information Act has been assigned to the Minister with responsibility for Information. The main activities of administering this Act involved:

- Provision of guidance to members of the public in respect of their rights and responsibilities under the Freedom of Information Act.
- Provision of support and guidance to public authorities in respect of the operations of the Freedom of Information Act and vetting of section 7, 8 and 9 statements prior to publication by public authorities.
- Sensitisation of public authorities, and members of the public about the Freedom of Information Act. In the year under review, the following sensitisation sessions were carried out:

Sensitisation Sessions 2008	Date
Service Commission Department	April 16th 2008
Trinidad and Tobago Film Company	May 9th 2008
Tobago Regional Health Authority	October 21st 2008
Evolving TecKnologies and Enterprise Development Company Limited	November 19th 2008

MONITORING THE ACT - SECTION 40 REPORT

In accordance with the Section 40 (1) of the Act, the Minister with responsibility for information is required to lay an annual report before both Houses of Parliament. While the Act does not prescribe the procedure, it requires Ministers to whom responsibility for public authorities is assigned, to furnish information for the preparation of this report in accordance with Section 40 (2).

Return forms are used to facilitate the collection of information, on a quarterly basis, from individual public authorities in accordance with the listing at Section 40 (3). The data in this report is based on returns received from one hundred and two (102) public authorities.

Information regarding complaints to the Ombudsman (Section 40 (3) (d)) is obtained directly from the Office of the Ombudsman of Trinidad and Tobago on a quarterly basis. Data on judicial review matters (Section 40 (3) (c)) has been obtained from reports prepared by public authorities and the Solicitor General's Chambers, Ministry of the Attorney General.

A calendar year is employed for reporting on the operations of the Freedom of Information Act. The following data is in respect of operations of the Freedom of Information Act during the period January 1 to December 31, 2008 in accordance with Section 40 (3) (a) to (i).

DETAILED DATA

a) The number of requests made to each public authority

Public Authority	No. of Requests
Accreditation Council of Trinidad and Tobago	0
Alutech Limited	0
Alutrint Limited	0
Arima Municipal Corporation	0
Betting Levy Board	0
Caribbean Airlines Limited	1
Caribbean New Media Group	1
Central Administrative Services Tobago	0
Central Tenders Board	1
Chaguanas Borough Corporation	0
Chaguaramas Development Authority	0
Cipriani College of Labour and Co-operative Studies	0
College of Science Technology and Applied Arts of Trinidad & Tobago	0
Couva/Tabaquite/Talparo Regional Corporation	1
Diego Martin Regional Corporation	0
Eastern Regional Health Authority	0
Education Facilities Company Limited	0
Electrical Inspectorate Division	0
Environmental Management Authority	10
Evolving Technologies and Enterprise Development Company Limited	3
Forestry Division	0
Government Human Resource Services Limited	0
Government Information Services Limited	0

Public Authority	No. of Requests
Housing Development Corporation	3
Immigration Division	0
Inland Revenue Division	9
John Donaldson Technical Institute	0
La Brea Industrial Development Company	0
Lake Asphalt of Trinidad & Tobago (1978) Limited	0
Legal Aid and Advisory Authority	0
Maritime Services Division	0
Mayaro/Rio Claro Regional Corporation	0
Ministry of Agriculture, Land & Marine Resources	0
Ministry of Community Development Culture and Gender Affairs	0
Ministry of Education	4
Ministry of Energy and Energy Industries	1
Ministry of Foreign Affairs	0
Ministry of Health	0
Ministry of Information	2
Ministry of Labour and Small and Micro Enterprise Development	0
Ministry of Legal and Consumer Affairs	0
Ministry of Local Government	2
Ministry of National Security	7
Ministry of Planning Housing and the Environment	7
Ministry of Public Administration	1
Ministry of Public Utilities	4
Ministry of Science, Technology and Tertiary Education	0
Ministry of Social Development	1
Ministry of Sport & Youth Affairs	0
Ministry of the Attorney General	0
Ministry of Tourism	1
Ministry of Works & Transport	2
National Agricultural Marketing and Development Corporation	0
National Energy Corporation of Trinidad & Tobago	0
National Gas Company of Trinidad & Tobago Limited	0
National Infrastructure Development Company Limited	0
National Insurance Board	2
National Library and Information System Authority	0
National Lotteries Control Board	1
North Central Regional Health Authority	0
North West Regional Health Authority	8
Office of Disaster Preparedness and Management	0
Office of the Prime Minister	3
Palo Seco Agricultural Enterprises Ltd	0
Parliament Republic of Trinidad & Tobago	0

Public Authority	No. of Requests
Penal/Debe Regional Corporation	1
Personnel Department	4
Petroleum Company of Trinidad and Tobago Limited	6
Point Lisas Industrial Port Development Corporation Ltd.	0
Police Complaints Authority	0
Port Authority of Trinidad & Tobago	0
Princes Town Regional Corporation	0
Public Transport Service Corporation	1
Regulated Industries Commission	1
Rural Development Company of Trinidad and Tobago Limited	1
San Fernando City Corporation	0
San Juan/Laventille Regional Corporation	1
Sangre Grande Regional Corporation	0
Service Commissions Department	504
Siparia Regional Corporation	0
South West Regional Health Authority	117
St. Jude's School for Girls	0
Statutory Authorities' Service Commission Department	9
Sugar Industry Labour Welfare Committee	0
Tax Appeal Board	0
Telecommunications Authority of Trinidad and Tobago	0
The Environmental Commission of Trinidad and Tobago	0
The Nursing Council of Trinidad & Tobago	0
The Vehicle Maintenance Corporation of Trinidad & Tobago Ltd	0
Tobago Council for Handicapped Children	0
Tobago Regional Health Authority	0
Trinidad & Tobago Electricity Commission	6
Trinidad & Tobago Forensic Science Centre	1
Trinidad & Tobago Free Zones Company Limited	0
Trinidad & Tobago Meteorological Services	0
Trinidad & Tobago Police Service	23
Trinidad and Tobago Film Company Limited	0
Tunapuna/Piarco Regional Corporation	1
University of Trinidad and Tobago	1
Venture Capital Incentive Programme	0
Water and Sewerage Authority	1
Zoological Society of Trinidad & Tobago	0
Total number of requests received by Public Authorities	753

- b) **The number of decisions where applicants were denied 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.**

Provision No.	Provision Description	No. of Times Invoked
24	Cabinet Document	2
27	Internal working documents	15
28	Documents Affecting Law Enforcement	1
29	Documents affecting Legal Proceedings or Subject to Legal Privilege	5
30	Document affects personal privacy	22
31	Documents related to Trade Secrets	1
32	Documents containing materials obtained in confidence	1
33 (1) (b)	Documents concerning the operations of a Public Authority	2
Total number of decisions that applicants were not entitled to access		49

- c) **The number of applications for Judicial Review of decisions under this Act and the outcome of those applications.**

No. of Judicial Review	Applicants Status / Outcomes
9	Awaiting Judgment (2) Matter Pending Before the Courts (7)

- d) **The number of complaints made to the Ombudsman with respect to the operation of this Act and the nature of those complaints:**
There were Twenty three (23) such complaints. These are detailed in Appendix I.
- e) **The 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:**
During the period under review, there were no notices served to public authorities under Section 10(1).
- f) **Particulars of any disciplinary action taken against any officer in respect of the administration of this Act:**
There is no record of disciplinary action taken against any officer in respect of the administration of this Act during the period under review.
- g) **The amount of charges collected by each public authority under this Act:**
In the absence of regulations to this effect, public authorities have no legal authority for the collection of fees and charges. There is therefore no record of fees and charges collected by public authorities under this Act.

Orders of Exemption

During the period under review, no "Orders of Exemption" from the operations of the FOIA were applied for and obtained in accordance with Section 5 (1) (c).

“Everyone has the right to freedom of thought and expression. This right includes freedom to seek, receive, and impart information and ideas of all kinds, regardless of frontiers, either orally, in writing, in print, in the form of art, or through any other medium of one’s choice.”

Article 13 of the American Convention on Human Rights⁴

4 Inter-American Commission on Human Rights, American Convention on Human Rights, <http://www.cidh.org/Basicos/English/Basic3.American%20Convention.htm>, (accessed on July 14th, 2009)

LOOKING AHEAD

THE FREEDOM OF INFORMATION DIVISION

In December 2007 the functions of the Act were fully transferred to the newly constituted Ministry of Information. In pursuing its mandate under the Act, the Ministry has received Cabinet approval for the establishment of the Freedom of Information Division. The major objectives of the Division are as follows:

- Inform public authorities on legal requirements of the Freedom of Information Act (FOIA)
- Train and sensitise public officials
- Maximum public awareness
- Design policies, programmes and projects that expressly reflect government's priorities
- Creation and maintenance of database on public authorities and matters related to the implementation of the FOIA
- Monitoring of the implementation of the FOIA
- Design effective administrative systems to support the FOIA
- Efficient reporting to Parliament

In meeting these objectives, the Division in the near future would be adopting the following strategies:

Change Management

- Working with records managers of Public Authorities to improve systems to facilitate the proper functioning of the FOIA
- Developing and implementing of a range of initiatives to facilitate the management of the FOIA by designated officers

Development of a Strong Policy Framework

- Review of the FOIA in light of the introduction of a Data Protection Bill to ensure alignment
- Drafting regulations to assist in the administration of the FOIA
- Developing a monitoring and evaluation framework
- Drafting amendments to the existing FOIA to keep it aligned with international standards
- Providing policy advice to the executive and other external clients
- Reviewing and implementing policies pertinent to the administration of the FOIA

Consultation and Feedback Mechanisms

- Sensitizing of Public Authorities to their FOIA roles and responsibilities
- Preparing of a training manual for designated officers
- Training for designated officers and senior decision makers of public authorities

Information Management

- Developing of an integrated information management system to link the FOI website and databases to allow online reporting and access to FOI data

Development of a Communication Plan for the FOIA to include:

- Public awareness programmes – radio, television, newspaper
- Engagement of schools
- Content management of FOI website at www.foia.gov.tt

DATA PROTECTION

It should be noted that in 2008 the Data Protection Bill, was laid for debate in Parliament. This Bill aims to ensure that personal information in the custody or control of an organization, whether public or private, shall not be disclosed, processed or used other than the purpose for which it was collected, except with the consent of the individual and where exemptions are clearly defined.

Undoubtedly, as the biggest custodian of public personal information, the Government will now lead the way in providing for the protection of personal privacy and information. As international pressure builds, there is also a greater need for improvement of privacy protection in Trinidad and Tobago if we intend to become significant players in the global economy, thus providing better leverage for business opportunities. The practice of holding or using data is certainly not a new concept, but when this is combined with the rapid advances in technology, particularly the significant increase of internet penetration within Trinidad and Tobago, it has become even easier to disseminate information. This legislation protects individuals by requiring organizations to notify persons as to the purpose for collecting the information and their policies and practices for sharing such information.

The proposed Bill also recommends some amendments to the Freedom of Information Act, 1999, namely that:

- All requests for personal information under the FOIA shall now be treated as a request under the Data Protection Act; and
- All complaints from individuals with regards to, refusal of a public authority to grant access to an official document under the FOIA, would now be reviewed by the Data Commissioner. This function was previously performed by the Ombudsman.

The Data Commissioner would function as an independent office and be officially appointed by the President (after consultation with the Prime Minister and the Leader of the Opposition) to monitor the administration of the Act. In so doing, the Commissioner would set standards and policies to govern the successful implementation of the Act. Functions will also include conducting audits and investigations to ensure that all institutions comply with the Act. This is in keeping with international best practice where it is generally recommended that review of decisions of public authorities' decisions to refuse access under both pieces of legislation be subject to independent review.

APPENDICES

APPENDIX I: Complaints to the Ombudsman

No	Public Authority	Nature of Complaint to the Ombudsman	Outcome
1	National Insurance Board	The Complainant requested a copy of a medical report with respect to an Invalidity claim made on December 18, 1007	Ombudsman met officials from the NIB who indicated that the Complainant would be provided with a copy of the medical report as requested.
2	Service Commissions Department	The Complainant requested the following documents namely: <ol style="list-style-type: none"> 1. Certified copy of the first appointment letter in the post of Clerk Typist I; 2. Seniority list of Clerk Stenographer II, III and IV; 3. Gazetted appointment and confirmation of Clerk Stenographer IV. 	Ombudsman met with the Designated Officer. Complainant has been provided with some of the information. The remaining information to be given to the complainant as soon as it is located.
3	Trinidad and Tobago Electricity Commission	The Complainant requested the following: <ol style="list-style-type: none"> 1. Copy of the investigator's report pertaining to the death of a linesman; 2. Copies of all witness statements 	Ombudsman met with the Designated Officer and made recommendations regarding the disclosure of the report to the Complainant. However the Ombudsman agreed with the position taken by T&TEC with respect to the non-disclosure of the witness statements.
4	Trinidad and Tobago Electricity Commission	The Complainant requested the following: <ol style="list-style-type: none"> 1. Copies of all witness statements, investigators' report and other documents relating to the fire which occurred at the applicant's home. 	The Ombudsman examined the document requested and conveyed her recommendations to the Designated Officer. Complainant informed accordingly.
5	Ministry of Education	The Complainant requested the following: <ol style="list-style-type: none"> 1. Technical and financial proposal submitted by consultants for the secondary school's project; 2. Letter of award of the contract for the pre-design consultancy services for the secondary school project 	The Ombudsman examined the documents and agreed with the response given by the Ministry. Complainant informed accordingly.

No	Public Authority	Nature of Complaint to the Ombudsman	Outcome
6	Central Tenders Board (CTB)	The Complainant requested a review regarding the refusal of the CTB to grant access to the following: <ol style="list-style-type: none"> 1. Technical and financial proposal submitted by consultants for the secondary school's project; 2. Letter of award of the contract for the pre-design consultancy services for the secondary school project 	The Ombudsman examined the documents and agreed with the response given by the CTB. Complainant informed accordingly.
7	Ministry of Social Development	The Complainant requested the following: <ol style="list-style-type: none"> 1. Information concerning the Complainant's child from Social Development files. 	Ombudsman awaiting a response from the Ministry of Social Development.
8	Police Service Commission (PSC)	The Complainant requested a review regarding the refusal of the PSC to grant access to the following: <ol style="list-style-type: none"> 1. Copy of the report/recommendation from the Commissioner of Police relative to bypassing of the complainant for promotion 	The Ombudsman examined the documents and agreed with the response given to the complainant from the PSC
9	Ministry of Education	The Complainant requested documents relating to the names of the quality surveying firm which were submitted by the consultant in a tender proposal	The ombudsman examined the documents and made recommendations to the Ministry of Education. Complainant received the information from the Ministry.
10	Ministry of Education	The Complainant requested the following: <ol style="list-style-type: none"> 1. A copy of a special report with respect to an application made for the post of Principal of Pleasantville Secondary School; 2. A list of all persons who applied for the post 	Ombudsman examined the documents requested and made recommendations for the disclosure of the information to the complainant. Complainant informed to liaise with the designated officer of the ministry of education
11	Ministry of Energy and Energy Industries	The complainant was denied access to a copy of a letter written by Trinidad and Tobago Petroleum Marketing Co. Ltd. to the Ministry of Energy.	Ombudsman examined the documents and agreed with the response given to the complainant by the Ministry. Complainant informed accordingly.

No	Public Authority	Nature of Complaint to the Ombudsman	Outcome
12	University of Trinidad and Tobago	The complainant requested the following: <ol style="list-style-type: none"> 1. Copy of the rules for the coat of arms and motto completion; 2. Copy of submissions and results of the competition. 	Ombudsman agreed with the response of UTT, and the complainant was informed accordingly.
13	Couva/Tabaquite Talparo Regional Corp.	The complainant requested a copy of the response letter to the Auditor General's letter addressed to the Chief Executive Officer, Couva/Tabaquite/Talparo Regional Corporation.	The Corporation agreed to disclosure of the information. Complainant informed accordingly.
14	Environmental Management Authority (EMA)	The complainant requested a copy of the Alutrint cottage meeting of December 19 th , 2006.	Ombudsman wrote to the designated officer of the EMA and is presently awaiting a response from the public authority
15	Commissioner of Police	The complainant requested a copy of the complete list of the order of merit with the names of officers and marks awarded.	The Ombudsman examined the documents requested and conveyed her recommendations to the designated officer. Complainant informed accordingly.
16	Service Commissions' Department	Complainant requested and was refused: <ul style="list-style-type: none"> • Copies of all statements given to the investigating officer regarding the allegation of misconduct made against the complainant • Copy of the investigator's report 	The Ombudsman agreed with the response which was given to the complainant
17	Commissioner of Police	The complainant requested the following: <ol style="list-style-type: none"> 1. A list containing the names of all police officers whose points were adjusted after the evaluation exercise was completed by the Commissioner of Police; 2. The date when such commendations were actually published in departmental orders issued by the Commissioner of Police. 	The Ombudsman examined the documents and made recommendations to the designated officer. The complainant was advised to liaise with the designated officer regarding access to document.

No	Public Authority	Nature of Complaint to the Ombudsman	Outcome
18	Service Commissions Department	The complainant requested comments made by the Commissioner of Police on the applicant's representation as per letter dated January 8 th 2008.	The Ombudsman examined the documents and made recommendations to the designated officer. The complainant was advised to liaise with the designated officer regarding access to document.
19	Service Commissions Department	The complainant requested a copy of the document which confirmed for the Ministry of Education that an employee received a judgment from the complainant.	The Ombudsman is unable to review since the department does not have any document related to the request. Complainant informed accordingly.
20	Service Commissions Department & Ministry of National Security	The Complainant requested the following: <ol style="list-style-type: none"> 1. Copies of the instruments/letters of appointment of the members of the Public Service Exam Board and the Fire Service Exam Board; 2. Terms and conditions of these appointments; 3. The address of these boards; 4. The duties, role, function and responsibilities of these two boards. 	The Ombudsman examined the documents and made recommendations to the designated officer. The complainant was advised to liaise with the designated officer regarding access to document.
21	Caribbean New Media Group Ltd	The complainant requested a list of all revenues generated with regards to Emancipation Day and Indian Arrival Day celebrations in 2008.	The Ombudsman examined the documents and agreed with the response which was given by the authority. The complainant was informed.
22	National Insurance Board	The complainant requested a personal copy of his "employment injury benefit unit" inclusive of medical reports, minute sheets and opinions.	Awaiting response from Public Authority.

No	Public Authority	Nature of Complaint to the Ombudsman	Outcome
23	Service Commissions Department	<p>The Complainant requested the following:</p> <ol style="list-style-type: none"> 1. Copies of any correspondence from the Presbyterian Board to the Teaching Service Commission, pertaining to the appointment of Principal I at the Penal Presbyterian School since January 2006 to present; 2. A copy of marks awarded to all candidates interviewed for the post of Principal I on June 16th 2008. 	The Ombudsman agreed with the response which was given by the authority. The complainant was informed.

APPENDIX II – Reading Room Details

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.

Public Authority	Details of Reading Room	Documents normally on Display in the Reading Room
College of Science Technology and Applied Arts of Trinidad & Tobago	Situated at City Campus COSTATT, 9-11 Melville Lane Port of Spain	Books, brochures, pamphlets
Education Facilities Company Limited	Reading room facilities are available at EFCL's offices at 61-63 Edward Street, Port of Spain	
Environmental Management Authority	Mondays to Fridays - 8:30 a.m. - 4.00 p.m. Level 1 8 Elizabeth Street, St. Clair	Books, periodicals, newspapers, newsletters and reports
Firearms Appeal Board	Reading space identified with a desk, chair and computer	
Industrial Court of Trinidad & Tobago	Library on the second floor of the Industrial Court Building has adequate seating accommodation and space for twenty-four (24) persons	

Public Authority	Details of Reading Room	Documents normally on Display in the Reading Room
John Donaldson Technical Institute	Library	<ul style="list-style-type: none"> ▪ Text References ▪ Magazines ▪ Newspapers
Legal Aid and Advisory Authority	First Floor Library Corner Edward & Oxford Streets, Port of Spain Open 8:00 a.m. to 12:00 noon	<ul style="list-style-type: none"> ▪ Law Books ▪ Gazettes ▪ Miscellaneous ▪ General Legal Material
Mayaro/Rio Claro Regional Corporation	Reading room (8'x10') was constructed. Table and chair provided.	
Ministry of Agriculture, Land & Marine Resources	The libraries of the Ministry are the established reading rooms. An area is also provided in the Human Resources Division	<ul style="list-style-type: none"> ▪ Brochures ▪ Books ▪ Journals ▪ Newspapers ▪ Reports ▪ Circulars
Ministry of Planning Housing and the Environment	<p>Libraries are located at the following Offices:</p> <p>The reading room is located in the Library Unit of the Ministry of Planning and Development, Level 6 Eric Williams Finance Building 2nd Floor 44-46 South Quay, Port of Spain</p>	<ul style="list-style-type: none"> • Discussion paper on Trinidad and Tobago Housing Finance Mechanisms for Low Income Households. April 2001 • Showing Trinidad & Tobago a New Way Home. A Policy for Shelter, A Strategy for Equity, a Commitment for employment and a Vision for Caring. September 2002 • PADCO Housing Studies Phase 1 & 2. 1995 • Rapporteur's Report of Search Conference. April 1992. • A Preliminary Proposal for Inclusion of the Land Settlement Agency of the Ministry of Housing and Settlements, Government of the Republic of Trinidad and Tobago in the European Community funded Poverty Alleviation Programme. • Restructuring of the Trinidad and Tobago Mortgage Finance Company Limited. PADCO Report, Laughlin and Associates • Interim Synthesis Report. Laughlin and Associates. • Housing Finance Report. Laughlin and Associates

Public Authority	Details of Reading Room	Documents normally on Display in the Reading Room
		<ul style="list-style-type: none"> • A New Administration and Distribution Policy for Land November 1992. • Trinidad and Tobago Country Report, Housing and Settlements in Trinidad and Tobago. Ministry of Planning and Development. November 19, 1992. • Second United Nations Conference Settlements Habitat II Istanbul, Turkey, June 3-14, 1996 • The Laws of Trinidad and Tobago • Legal Notices and Gazettes • 14. International Statistics (Financial Journals)
Ministry of Labour and Small and Micro Enterprise Development	<p>Located in the Library Level 7 Riverside Plaza Besson Street Port of Spain</p>	<p>Journals on:</p> <ul style="list-style-type: none"> ▪ Industrial Relations ▪ Human Resource ▪ Occupational Health and Safety ▪ Law Reports ▪ Employment ▪ Co-operatives
Ministry of Legal Affairs	Conference rooms are available for use as reading rooms	Documents are not on display in the reading room. Documents would be made available for perusal on request
Ministry of National Security	<p>The Reading Room is located at the Ministry of National Security, Temple Court, Abercromby street; Port of Spain</p> <p>The Reading Room is open Mondays to Fridays between the hours of 8:00 a.m. and 4:00 p.m.</p>	

Public Authority	Details of Reading Room	Documents normally on Display in the Reading Room
Ministry of Public Utilities	The reading room is located on the Fifth Floor, Sacred Heart Building, 16-18 Sackville Street, Port of Spain. It is open to the public Mondays to Fridays between the hours of 10.00 a.m. to 3.00 pm.	<ul style="list-style-type: none"> ▪ Copies of legislation, laws regulations and orders ▪ Copies of Trinidad and Tobago Gazettes ▪ Reports of Government Agencies ▪ Public Sector Investment Programme Documents ▪ Policies of agencies within the purview of the Ministry ▪ Estimates of Expenditure, Recurrent and Development Programme ▪ Procurement Policies and Guidelines ▪ Financial Regulations and Instructions
Ministry of Social Development	Library ANSA MCAL Building 69 Independence Square Port of Spain	<ul style="list-style-type: none"> ▪ Books ▪ Periodicals ▪ Magazines ▪ Journals ▪ Newspapers
Ministry of the Attorney General	The reading room is at the library of the Ministry of the Attorney General, Level 2 Cabildo Chambers, 23-27 St. Vincent Street, Port of Spain The room can accommodate over thirty (30) persons. Information can be obtained from a manual index card system	<ul style="list-style-type: none"> ▪ Law Books ▪ Legal Magazines ▪ Monthly Law Journals ▪ Trinidad and Tobago Gazette
Ministry of Tourism	Reading Area 2nd floor Ministry of Tourism Corner Duke Street and St Vincent Streets Port of Spain	<ul style="list-style-type: none"> ▪ Water safety Tips and other Brochures ▪ Reports ▪ Guidelines and Publications on Tourism Related Matters
Ministry of Trade & Industry	Located in Library Level 13, 63-65 Nicholas Tower, Port of Spain	Commercial Publications
National Agricultural Marketing and Development Corporation (NAMDEVCO)	NAMDEVCO'S conference room located at its Head Office, S.S Erin Road, Debe serves as a reading room	No documents on display

Public Authority	Details of Reading Room	Documents normally on Display in the Reading Room
National Gas Company of Trinidad & Tobago Limited	National Gas Company's Corporate Library	<ul style="list-style-type: none"> ▪ Business and Managerial Journals ▪ Natural Gas and Petrochemical journals ▪ Engineering and Information technology Publications ▪ GASCO News - The corporate journal of the National Gas Company of Trinidad and Tobago Limited ▪ Energy industry related magazines and publications
National Institute of Higher Education, Research, Science & Technology	<p>NIHERST Documentation Centre located at Corner Old Piarco Road and Churchill Roosevelt Highway D'Abadie, Trinidad</p> <p>Postal Address: P.O. Box 113, Port of Spain, Trinidad Telephone: 642-6112, 642-9371 Fax: 642-1353 E-mail: doc-centre@niherst.gov.tt Opening Hours: Monday to Friday 8am-4pm</p>	<ul style="list-style-type: none"> ▪ NIHERST Annual Reports ▪ NIHERST Agricultural Seminar Publications ▪ NIHERST Children's Science Magazine ▪ Newspaper Clippings on NIHERST: 1985-Present ▪ NIHERST Publications in agriculture, biotechnology, higher education, environment, microelectronics, science and technology policy and planning, science & technology statistics
National Library and Information System Authority	There is no designated reading room, but seminar rooms/ meeting rooms are available as needed	
National Quarries Company Limited	An area in the main lobby area on the ground floor was assigned as the reading area. A desk will be available for persons wishing to read documents	<ul style="list-style-type: none"> ▪ Brochures on National Quarries Company Limited aggregates ▪ Company Newsletters
Palo Seco Agricultural Enterprises Ltd	An area has been identified to accommodate 4 persons at a table	

Public Authority	Details of Reading Room	Documents normally on Display in the Reading Room
Parliament Republic of Trinidad and Tobago	A reading room has been established in the Parliament Library. Members of the public may access the reading room on weekdays between 8:00 a.m. and 4:00 p.m.	
Personnel Department	The Library Level 3 Personnel Department 76-78 St. Vincent Street Port of Spain	Reports
Petroleum Company of Trinidad and Tobago Limited	Audio/Visual Room so as to access documents on CDs, tape recordings or video tapes. Reading room equipped with personal computer to facilitate access to hard copy or electronic copy of documents	<ul style="list-style-type: none"> ▪ Petrotrin's Annual Report ▪ Petromission Newspaper ▪ Petrovision Magazine
Point Lisas Industrial Port Development Corporation Limited (PLIPDECO)	The Reading Room is an airconditioned, non-smoking area located on the 1st Floor, PLIPDECO House, and is equipped with desks and chairs. FOIA application forms are also available to facilitate potential applicants desirous of making requests for access to official documents.	<ul style="list-style-type: none"> ▪ Annual Financial Reports ▪ PLIPDECO Quarterly Newsletter ▪ Rapport ▪ Speeches and Presentations to Public Forums and Conferences ▪ Packages containing general information on the Industrial Estate ▪ Disaster/Evacuation Plan
Police Complaints Authority	Reading space identified with a desk, chair and computer	
Regulated Industries Commission (RIC)	The reading room is located in the Library of the Regulated Industries Commission 1st Floor Furness House Cor. Wrightson Road & Independence Square Port of Spain	<ul style="list-style-type: none"> • Books • Government documents • Journals and Newsletters • RIC research papers • Legislation - RIC, WASA and T&TEC • Annual Reports • Resources on various aspects of utility regulation

Public Authority	Details of Reading Room	Documents normally on Display in the Reading Room
Sangre Grande Regional Corporation	Arrangements have been made for the use of the Corporation's Chambers on Mondays, Wednesdays and Fridays	<p>Due to inadequate space materials are not on display, however, the following would be made available for the public upon request:</p> <ul style="list-style-type: none"> ▪ Legal, Financial, Accounting, Contract and Policy documents ▪ Strategic Review and Strategic Plans ▪ Registers ▪ Reports ▪ Minutes ▪ Maps ▪ Manuals
Service Commissions Department	Library Located at Level 3 Service Commissions Department, Cipriani Plaza, 52-58 Woodford Street, Newtown, Port of Spain	
Siparia Regional Corporation	<p>Due to critical accommodation problems being experienced at the Corporation, the Council Chamber is utilized as a reading room.</p> <p>Opening Hours: Monday - Wednesday 8:00 a.m. - 4:00 p.m. and Friday 8:00 a.m. - 4:00p.m.</p>	Because of the location there is no regularly displayed material. However these are readily available from the Registry Section, if and when required.
Statutory Authorities' Service Commission Department (SASC)	A space has been made available at the SASC, 81-83 Abercromby Street, Port of Spain, but has to be furnished and made private	
The Environmental Commission of Trinidad and Tobago	<p>The Environmental Commission has a small reference library.</p> <p>Opening hours: 8:00 am to 4:00 pm Monday to Friday</p> <p>Policy for use of Library: Open to the general public. All documents are available for reference. Textbooks in the Environmental Commission are not available for loan</p>	<ul style="list-style-type: none"> ▪ Reference titles ▪ Journals ▪ Texts on: Law, Environmental Chemistry, Environmental Science, Environmental Health, Environmental Engineering ▪ Informational brochures ▪ Booklets on the Environmental Commission <p>Computer access is available for electronic information - Compact Disc only</p>

Public Authority	Details of Reading Room	Documents normally on Display in the Reading Room
The Nursing Council of Trinidad & Tobago	<p>Room 14' x 16' Designated for Education Officer is available/ accessible.</p> <p>Furnished with – 2 Desks; 2 Cabinets; 1 Bookshelf; 1 Photocopier; Chairs; Computer</p>	<ul style="list-style-type: none"> ▪ Journals (Nursing) ▪ Acts of T&T ▪ Documents re Policies/Guidelines ▪ Books and Magazines ▪ Publications relevant to Nursing ▪ Curricula - Nursing and Midwifery ▪ Health related Journals, magazines and books (Regional and International)
Tobago Regional Health Authority	<p>Adequate space, air conditioned, well supervised at the Health Information Resources Centre, Scarborough Regional Hospital</p>	<ul style="list-style-type: none"> ▪ Medical Journals ▪ Reference Books ▪ Newspapers ▪ Magazines
Trinidad & Tobago Electricity Commission (T&TEC)	<p>Information can be accessed through T&TEC's website at www.ttec.co.tt</p> <p>Members of the public may make general enquiries to T&TEC's Librarian at 663-2788 Ext. 2550</p> <p>Library 3rd Floor Stanley Pierre Ottley Building 7 Uriah Butler Highway Mt. Hope</p>	<ul style="list-style-type: none"> ▪ Strategic Plans ▪ Business Plan ▪ Annual Report ▪ Audited Financial Statements ▪ Quarterly Financial Reports ▪ Energy Sales and Peak Demand Forecast; ▪ Energy Sales, Peak Demand and Generation Statistics ▪ Exchange Rate Adjustment Calculation ▪ Monthly Calculation of Fuel Charge ▪ Damaged Appliance Claims Procedure ▪ Retroactive Billing Policy ▪ Training Policy ▪ Training Programme ▪ Employee Manual ▪ Code of Ethics ▪ Industrial Relations Procedural Instructions ▪ Safety Manual; Safety Rules. Wiring for Light and Power Booklet; ▪ Know your Pole Number ▪ Pre-qualified Contractors ▪ T&TEC, RIC Standards and You ▪ Towards a Better and Brighter Future – A Consumer Guide to T&TEC's Application for a Review of tariffs ▪ Advice to Kite Flyers ▪ Consumption patterns of Appliances ▪ Conserve Electricity

Public Authority	Details of Reading Room	Documents normally on Display in the Reading Room
		<ul style="list-style-type: none"> ▪ Holiday Safety ▪ Prepare for Hurricane Safely ▪ Guidelines on Food Care ▪ Learn About Electricity ▪ What to do During Periods of Load Shedding ▪ How much you pay for Electricity you use Electrical Safety Tips ▪ T&TEC Motor Protection Guide ▪ How to open a new Account ▪ Welding sets can overload circuits at home and in your neighbourhood ▪ Pay your Electricity Bill with your debit (Linx) card at any T&TEC Payment Centre ▪ Hotline numbers for Rapid Response ▪ T&TEC - The Nation's Sole Transmission and Distribution Utility <p>Note: Some of the documents are available in hard copy format whereas others are available in soft copy format on T&TEC's intranet.</p>
Trinidad & Tobago Securities & Exchange Commission	Interested persons have access to materials from the library and may sit in the conference room to peruse documents	<ul style="list-style-type: none"> ▪ Laws of Trinidad and Tobago ▪ Securities Law and Legislation from regional and international jurisdictions ▪ Annual Reports of Listed Companies ▪ Central Bank Publications ▪ Economic and Statistical reports ▪ Journals and Magazines e.g. <i>Business Week; Harvard Business Review; The Economist</i> ▪ Newspapers - Local and international

Public Authority	Details of Reading Room	Documents normally on Display in the Reading Room
Valuation Division - Ministry of Finance	Division's Library, Head Office: 109 Henry Street, Port of Spain Telephone: 623-4221 Facsimile: 623-5874 Email:valdiv@tstt.net.tt	<ul style="list-style-type: none"> ▪ Concept of "Fairness" in compensation for injury to Real Property – R.E, Cosgrove, Q.C. Tasmania. ▪ Do existing acquisition acts really provide for just compensation in all cases – Hon Mr. Justice Else-Mitchell. ▪ Reckoning with imperfections in the land market – John M. Hopes U. N. Adviser. ▪ Compensation for resumed property in the modern welfare state – S.C. Burbury Q.C. Tasmania. ▪ Report of Cabinet Appointed Committee on proposals for expediting the Acquisition of Private Lands by the State and Land Registration – Land Record Systems Cadastre – Land Valuation Disputes. ▪ Compensation claim – Reed Employment Ltd. vs. London Transport Executive ▪ Queen's Bench Divisional Court – R.V. Hillingdon ▪ London Borough Ex Parte Rayoo Homes Ltd. ▪ Dindial vs. Mamit – Wooding C.J. Mc Shine & Phillips JJ.A ▪ Bill of Succession (First Draft) ▪ All England Law Reports 6th April, 1976 – Lap Shun Textiles vs. Revenue Collector ▪ Estate Gazette Law Reports – Grampian Regional Council vs. Secretary of State for Scotland ▪ Comments on Land Acquisition Bill ▪ Landlord & Tenant (Memorandum) ▪ Appeal – Edith Mitchell vs. David Cowie ▪ Judgement/Appeal – Robert Alefounder ▪ Court of Appeal – Seegobin Guptar vs. Hakim Ramjohn Tenure) Agr. Small Holdings Act. Chap 59:53). ▪ Policy for Disposal/Rental of Crown Lands ▪ Regularization of tenancy squatters on State lands ▪ Disposal of National Housing Authority Building Lots ▪ National Housing Programmes within the contexts of Housing in the 1980's

Public Authority	Details of Reading Room	Documents normally on Display in the Reading Room
		<ul style="list-style-type: none"> ▪ Assets of the Agriculture Credit Bank ▪ High Court Judgement – Sumair Bansraj & Others ▪ Court of Appeal between the Attorney General – Appellant and Lopinot Limestone Ltd. Respondent ▪ Education for the Profession in the Caribbean ▪ To review aspects of land use, land development and building construction ▪ Variation in the user clause – Application to sub divide – Renewal of leases (various) ▪ The role of Land Registration in developing countries ▪ Role of the Land Economy surveyor in the Government Service – C.C. Quamina ARICS ▪ Appeals against Assessment – Cummings; Pooran; Lucky ▪ Tax Administration ▪ Tax Appeal – Rodriguez vs. Inland Revenue ▪ Registration of Valuers in Malaysia – A.B. Marbeck, Deputy Director – General of Valuations ▪ Rent Control Revised ▪ Land Acquisition Act and Procedure – P.M. Highway ▪ Ex parte Texaco Trinidad Inc. Opinion ▪ Appeal – Land and Building Taxes – E.N. Edwards & Warden, County Caroni/Couva ▪ Draft Report of the Cabinet Appointed Committee ▪ Land Information Management in Trinidad and Tobago ▪ Principle into Practice in Budapest – W.O. Ramkay Central ▪ H.C.A No. 667 of 1975, Matter of A.A. Lucky ▪ Review of charges with regard to Building Lots allocated by the State
Youth Training and Employment Partnership Programme Ltd.	The room is a centralized location at YTEPP’s Head Office	



Ministry of Information

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Trinidad, West Indies
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