

The Public's Right to Access Information under the Freedom of Information Act relating to NGC and its operations

FOIA Public statement 2012

Under the Freedom of Information Act 1999 ("the Act"), The National Gas Company of Trinidad and Tobago Limited (NGC) is required by law to publish certain information for the benefit of the public. This includes the structure and functions of NGC and a list of categories of documents held by NGC. It also identifies those documents which are eligible for public access under the Act and sets out how to obtain the same. The following information satisfies the legislative requirements of the Act and is an Updated Public Statement pursuant to Section 7(1)(b) of the Act.

The Act gives members of the public:

1. A legal right to access information held by the Public Authority
2. A legal right to have official information relating to him/her amended where it is incomplete, incorrect or misleading
3. A legal right to obtain reasons for adverse decisions made regarding an applicant's request information under the FOIA
4. A legal right to complain to the Ombudsman and to apply to the High Court for Judicial Review to challenge adverse decisions made under the FOIA

NGC publishes the following information as approved by the Minister of Energy and Energy Affairs.

STATEMENTS UNDER SECTION 7 OF THE ACT

SECTION 7(1) (A) (i)

NGC is a wholly-owned state enterprise incorporated on 22nd August 1975 as a limited liability company under the Companies Ordinance Chapter 31 No.1 and continued as a company on 17th April 1998 under the Companies Act Chapter 81:01 of the laws of Trinidad and Tobago, with its registered office at Orinoco Drive, Point Lisas Industrial Estate, Point Lisas, NGC also holds shareholding or equity interests in the entities listed below:

The scope of business of NGC and its affiliated companies is: -

- Purchase and sale of natural gas
- Transmission and distribution of natural gas
- Collection and compression of low pressure natural gas
- Processing of natural gas
- Natural Gas market development, including project planning and development
- Investment facilitation and marketing promotion of Trinidad and Tobago as a competitive location for natural gas-based investments
- Port, marine and site infrastructure development and management
- Equity investment management

Corporate information

NGC's registered office is located at Orinoco Drive, Point Lisas Estate, Point Lisas, Couva

The Company is governed by a Board of Directors appointed by the Company's shareholder, the Corporation Sole, and are as follows:

- Roop Chan Chadeesingh – Deputy Chairman
- Hasseena Ali
- Premchand Beharry
- Cathal Healy-Singh
- Utam Maharaj
- Clyde Ramkhalawan

Five Board sub-committees assist in formulating and guiding the business and policies of the Company:

- The Audit Committee
- The Finance Committee
- The Human Resource Committee
- The Tenders Committee
- The Operations Committee

The Company's executive management team comprises of the President and five (5) Vice Presidents.

Company Structure

The five operating Groups are:

- **Technical Services Group** whose functions comprise the compression of low pressure associated gas, and the design construction and management of construction for new natural gas pipelines and related facilities
- **Gas Transmission and Distribution Group** whose functions comprise the management, operation and maintenance of the gas transmission and distribution network in order to ensure integrity and deliverability
- **Commercial Group** whose functions include gas marketing and promotion and gas resource management, commercial services, LNG and other equity investment
- **Legal and Corporate Management Group** which provides legal, corporate secretarial, contracts administration, environment, safety and security, general administrative services, risk management, and procurement services including materials management
- **Finance and Information Management Group** which provides accounts payable and receivable, payroll, financial reporting, treasury services, taxation, information technology, library, records and knowledge management services

There are also four independent Divisions:

- **Corporate Communications Division** which provides community relations and public relations services
- **Human Resources Division** whose functions comprise training and development, human resource planning, organisation relations and compensation management
- **Internal Audit Division** which provides independent assurance and consultancy designed to improve the Company's operations
- **Office of Strategic Management** which provides strategy management, enterprise risk management, corporate performance and strategic initiatives administration services

Effect of Scope of Business on Members of the Public

The framework for the scope of business of NGC and its affiliates is two-fold:

- To create exceptional national value from natural gas and energy businesses; and
- To be a valued partner in the global energy business

In the course of its business, NGC does not normally deal directly with members of the general public in relation to the formulation of policy in, or the administration of the Public Authority.

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Statements Under Section 7 of the Act (continued)

SECTION 7 (1) (A) (II)

Categories of documents in the possession of NGC:

NGC maintains records that relate to its administrative functions, support services and its technical operations (related to its core business activities). These records are generally categorized as follows:

1. General Administration and Support Services

- a) Records related to property management, risk management and office services

2. Intra-Governmental Correspondence

- a) Correspondence with Ministries and other public authorities
- b) Reports to the Central Statistical Office and other governmental financial management institutions

3. Committees Deliberations

- a) Minutes and reports of Committees and of other internal bodies

4. Legal Activities

- a) Records of decisions, legislation, policies and procedures, contracts (including specialty contracts such as deeds), documents pertaining to litigation and other legal proceedings, tenders' rules and procedures

5. Business Activities

- a) Business plans, proposals, reviews, reports
- b) Records related to development, planning and general management of projects
- c) Records relating to human resource management operations
- d) Public relations records and files including bursaries, sponsorships, brochures, newsletters, photographs, maps, audio and visual material related to public relations activities
- e) Records of programmes and relations with pipeline communities
- f) Records relating to information resource management facilities, services and technology
- g) Records relating to marketing and business promotions
- h) Performance and audit assessments and analyses
- i) Consultancy, technical, valuation, assessment and various reports which support business decisions
- j) Policies, procedures and manuals, e.g. safety manual, evacuation procedures
- k) Speeches and presentations to public forums, conferences
- l) Records related to the management of corporate events

6. Financial and Accounting Operations

- a) Records related to budgeting, capital investments, financial planning and reporting, taxation, cash management, etc.
- b) Reports to government, audited financial accounts laid in Parliament and other public Financial entities
- c) Accounting records
- d) Annual financial reports

7. Technical Operations

- a) Records related to the purchase and sale of natural gas, building and physical infrastructure, including port and marine operations of the NEC and estate management operations of LABIDCO

8. Environment, Health, Safety and Security

SECTION 7 (1) (A) (III)

Documents prepared for publication and inspection

If in stock and available, the public may inspect and/or obtain copies of the following material between the hours of 10am and 2.30pm on normal working days at:

The National Gas Company of Trinidad and Tobago Limited,
Corporate Communications Division
Orinoco Drive
Point Lisas Industrial Estate
Point Lisas

Phone: (868) 636-4662, 4680
Fax: (868) 679-2384

- Gasco Magazine (quarterly)
- Various pamphlets, leaflets, booklets, videotapes and brochures relating to natural gas and the natural gas industry
- Annual Financial Report
- Speeches and presentations to public forums, conferences
- Tenders' rules and procedures

If distribution copies of these publications are out of stock, requestors would be required to pay for photocopying or duplication.

- General information is also available on the NGC's website, www.ngc.co.tt

SECTION 7 (1) (A) (IV)

Documents available by way of subscription

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

SECTION 7 (1) (A) (V)

Procedure to be followed to access official documents under the FOIA

How to request information:

1. Requests and public services under the FOIA will be entertained between the hours of 10am and 2.30pm daily
2. All requests for access to documents that are not readily available in the public domain are to be made on the Request for Access to Official Document(s) Form that is available from the Designated Officer or from the FOIA Unit
3. Queries for amendments to documents containing personal information about the applicant are to be directed to the Designated Officer in the form of a letter
4. To ensure prompt handling of requests, please address it to the Designated Officer of The National Gas Company of Trinidad and Tobago Limited
5. Requests will be acknowledged as official when made on the prescribed form
6. Applicants must provide sufficient information to enable the Designated Officer to identify the document(s) being requested
7. The general policy is to answer all requests for information, both oral and written. However, in order to derive the rights given to the applicant under the Act (for example the right to challenge a decision if the request for information is refused), the applicant must make such requests for information in writing

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Statements Under Section 7 of the Act (continued)

SECTION 7 (1) (A) (M) (continued)

Procedure to be followed to access official documents under the FOIA (continued):

How to request information (continued):

8. If insufficient information is provided, clarification will be sought from the applicant
9. If the applicant is not sure how to write his/her request or what details to include therein, communication with the Designated Officer is recommended
10. A request under the Act will not be processed to the extent that it asks for information which is readily available to the public, either from this public authority or from another public authority, for example, by way of brochures, pamphlets, reports, etc.

Time Allowed:

11. Applicants will be notified within 30 calendar days or before whether or not the request is approved
12. Applicants whose requests are incomplete or unclear will be informed of the same by the Designated Officer who will make arrangements to meet with the applicant for consultation, with a view to clarifying the request
13. The time limit of 30 days will be suspended while consultation with the applicant is being undertaken, and will resume on the day the applicant confirms or alters the request
14. An applicant whose request for documents is refused, will be notified by the Designated Officer in writing of the reasons for refusal. The Designated Officer will consult with the applicant about alternative recourses that are open to him/her
15. If NGC fails to meet the 30 day deadline, the Act gives the applicant the right to proceed as though his/her request has been denied
16. If it appears that processing the applicant's request may take longer than the statutory limit, NGC will acknowledge the request and advise the applicant of its status
17. Since there is a possibility that requests may be incorrectly addressed or misdirected, the applicant may wish to call or write to confirm that the Designated Officer has received the request and to ascertain its status

Fees and Charges:

18. Section 17 (1) stipulates that no fee shall be charged by a public authority for the making of a request for access to an official document. Nevertheless, where access to an official document is to be given in the form of printed copies, or copies in some form such as on tape, disk, film or other material, the applicant shall pay the prescribed fee incurred for duplication of the said material
19. Details of charges for photocopies or purchase of documents will be determined based upon individual requests by applicants
20. Applicants will be required to complete an official company invoice before funds are paid to the Cashier

SECTION 7 (1) (A) (VI)

Officers in NGC responsible for:

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

The Designated Officer is:

ANN MOORE-SPENCER
The National Gas Company of Trinidad and Tobago Limited
Orinoco Drive
Point Lisas Industrial Estate
Point Lisas, Couva

Phone: (868) 636-4662, 4680 ext 1450

Fax: (868) 679-2384

Email: annm@ngc.co.tt

The Alternate Officer is:

GEORGIA GARBO-NOEL
The National Gas Company of Trinidad and Tobago Limited
Orinoco Drive
Point Lisas Industrial Estate
Point Lisas, Couva

Phone: (868) 636-4662, 4680 ext 1453

Fax: (868) 679-2384

Email: georgia@ngc.co.tt

SECTION 7 (1) (A) (VII)

Advisory boards, councils, committees and other bodies (where meetings/minutes are open to the public)

At this time, there are no bodies that fall within the meaning of this section of the FOIA.

SECTION 7 (1) (A) (VIII)

Library/reading room facilities

Information in the public domain can be accessed through our website at www.ngc.co.tt. General Information enquiries can be made to the Corporate Communications Division, Public Relations Officer, at (868) 636-4662, ext. 380.

For the purposes of FOIA reference, documents may be viewed between 9.30am and 3pm in the designated reading area located at:

Administration Building
The National Gas Company of Trinidad and Tobago Limited
Orinoco Drive
Point Lisas Industrial Estate
Point Lisas, Couva

All members of the public will be required to adhere to the rules and regulations outlined for use of this facility.

Statements Under Section 8 of the Act

The following in-house documents can be made available for inspection upon request:

- Safety policy and procedures
- Tenders' rules and procedures
- Recruitment policy
- Visitors' security policy
- Third party accident/injury policies and procedures
- Information dissemination policies and procedures

SECTION 8 (1) (A) (I)

Documents containing interpretations or particulars of written laws or schemes administered by the public authority, not being particulars contained in another written law.

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Statements Under Section 8 of the Act (continued)

SECTION 8 (1) (A) (II)

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

SECTION 8 (1) (B)

In enforcing written laws or schemes administered by the public authority where a member of the public might be directly affected by that enforcement, documents containing information on the procedures to be employed or the objectives to be pursued in the enforcement of the written laws or schemes.

Statements Under Section 9 of the Act

SECTION 9 (1) (A)

A report or statement containing the advice or recommendations, of a body or entity established within The National Gas Company of Trinidad and Tobago Limited.

1. Policies and procedures relating to:
 - a) the issuing and evaluation of tenders and contracts
 - b) personnel administrative matters
 - c) information technology
 - d) lease acquisition
 - e) governance issues
2. Accident/Incident reports
3. Pipeline inspection reports
4. Environment and Safety reports and recommendations

SECTION 9 (1) (B)

A report or statement containing the advice or recommendations, (1) of a body or entity established outside NGC by or under written law, (2) or by a Minister of Government or other public authority for the purpose of submitting a report or reports, providing advice or making recommendations to NGC or to the responsible Minister.

1. Reports from:
 - a) The Natural Gas Export Task Force

SECTION 9 (1) (C)

A report or statement containing the advice or recommendations of an inter-departmental Committee whose membership includes an officer of NGC.

1. Reports containing advice and/or recommendations from:
 - a) Human Resource Committee
 - b) Operations Committee
 - c) Tenders Committee
 - d) Audit Committee
 - e) Finance Committee

SECTION 9 (1) (D)

A report, or statement containing the advice or recommendations of a committee established within NGC, to submit a report, provide advice or make recommendations to the responsible Minister or to another officer of NGC who is not a member of the committee.

1. Accident/incident reports
2. Pollution claims
3. Periodic financial data reports

SECTION 9 (1) (E)

A report (including a report concerning the results of studies, surveys or tests) prepared for NGC by a scientific or technical expert, whether employed within

NGC or not, including a report expressing the opinion of such an expert on scientific or technical matters.

1. Feasibility studies
2. Environmental Impact Assessments
3. Pre-lay and post-lay surveys
4. Scientific tests relating to natural gas

SECTION 9 (1) (F)

A report prepared for NGC by a consultant who was paid for preparing the report.

1. Environmental Impact Assessments
2. Consultancy reports
3. Means and assets/ investigative reports
4. Financial reports and audits
5. Health, Safety and Security reports

SECTION 9 (1) (G)

A report prepared within NGC and containing the results of studies, surveys or tests carried out for the purpose of assessing, or making recommendations on, the feasibility of establishing a new or proposed Government policy, programme or project.

1. Feasibility studies
2. Environmental Impact Assessments

SECTION 9 (1) (H)

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

1. Financial reports
2. Audit reports
3. Project status reports

SECTION 9 (1) (I)

A report containing (1) final plans or proposals for the re-organization of the functions of NGC, (2) the establishment of a new policy, programme or project to be administered by the public authority, (3) the alteration of an existing policy programme or project administered by NGC, whether or not the plans or proposals are subject to approval by an officer of NGC, another public authority, the responsible Minister or Cabinet.

1. Budgets
2. Business Plans
3. Strategic Plans

SECTION 9 (1) (J)

A statement prepared within NGC and containing policy directions for the drafting of legislation.

At this time, we have no such statements.

SECTION 9 (1) (K)

A report of a test carried out within The National Gas Company of Trinidad and Tobago Limited on a product for the purpose of purchasing equipment.

At this time, we have no such reports.

SECTION 9 (1) (L)

An environmental impact statement prepared within NGC.

At this time, we have no such statements.

SECTION 9 (1) (M)

A valuation report prepared for NGC by a valuator, whether or not the valuator is an officer of NGC.

1. Valuation reports
2. Actuarial reports