

# Freedom of Information Act

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

### FOIA Public Statement 2018

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 Industries.

#### 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. Listed below are NGC's operational or fully-owned companies:

- National Energy Corporation of Trinidad and Tobago Limited (National Energy)
- La Brea Industrial Development Company Limited (LABIDCO)
- NGC Pipeline Company Limited (NPCL)
- NGC NGL Company Limited (NGC NGL)
- Trinidad and Tobago LNG Limited (TTLNG)
- NGC E&P Investments Limited (NGC E&P)
- NGC CNG Company Limited (NGC CNG)
- Trinidad and Tobago NGL Limited (TTNGL)
- Phoenix Park Gas Processing Limited (PPGPL)
- NGC Petrochemicals Limited
- Downstream Petrochemicals Research and Development Limited
- NGC E&P Investments (Barbados) Limited
- NGC E&P (Barbados) Limited

For a full listing of all NGC's shareholdings and equity interests, please see NGC's website at [www.ngc.co.tt](http://www.ngc.co.tt)

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

- Purchase and sale of natural gas
- Aggregation, transmission and distribution of 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
- Promotion of compressed natural gas (CNG)

#### Corporate information

NGC's registered office is located at Orinoco Drive, Point Lisas Industrial 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:

- Professor Gerry C. Brooks – Chairman
- Professor Andrew Jupiter
- Mr. Kenneth Allum
- Mr. Marcus Ganness

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

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

The Company's Leadership Team comprises the President, five (5) Vice Presidents and four (4) Managers.

#### Company Structure

The five (5) operating Groups are:

- **Commercial** which provides upstream operations; midstream/downstream petrochemical operations; commercial assurance; manufacturing industries and energy efficiency; energy marketing and trading; and gas business development services
- **Corporate Governance and Compliance** which provides governance and compliance; corporate secretarial, risk management support; and knowledge and information management services
- **Finance and Information Management** whose function includes financial planning and reporting; treasury and investments; financial operations; projects/controls and system optimisation, taxation; information and communication technology
- **Legal and Corporate Affairs** which provides corporate, commercial, legal and contracts administration services

- **Operations** includes the functions of pipeline operations; pipeline maintenance; field engineering; and strategic projects

#### There are also seven (7) independent Divisions:

- **Corporate Communications** provides corporate social responsibility; communications and branding; and stakeholder and reputation and management services
- **Health, Safety, Environment and Security** provides health, safety, environment and security management services
- **Human Resources** provides compensation and benefits; organisational development; performance and training; recruitment and talent management; industrial and employee relations; and office management services
- **Internal Audit** provides independent assurance and consultancy designed to improve the Company's operations
- **Office of Strategic Management** functions include business intelligence; planning and alignment; and strategic initiatives
- **Supply Chain Management** provides contracts and procurement services; inventory and logistics management; and strategic sourcing and market intelligence services
- **Projects** provides major projects and infrastructure projects management; engineering services; construction services; geographic information system management; and facilities maintenance management 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 positioned as a leading player in the energy value chain delivering sustainable benefits, through our people, for all stakeholders

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.

#### 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 categorised as follows:

1. **General Administrative and Support Services**
  - a. Records related to property, risk management and office services

# FOIA Public Statement 2018

## 2. Intra-Governmental Correspondence

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

## 3. Committee Deliberations

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

## 4. Legal Activities

- a. Records of decisions, legislation, policies and procedures, contracts (including speciality 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. Records related to control and systems optimisation
- e. Annual Financial reports

## 7. Commercial Activities

- a. Records related to contract management
- b. Records related to asset and value management
- c. Strategy and Planning records

## 8. Technical Operations

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

## 9. Environment, Health, Safety and Security

- a. Records related to total recordable injuries for contractors and employees and environmental impacts

## 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 10:00 a.m. and 2:30 p.m. Monday to Thursday at:

Corporate Communications Division  
The National Gas Company of Trinidad and Tobago Limited  
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

These publications and other general information are also available on NGC's website [www.ngc.co.tt](http://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 10:00 a.m. and 2:30 p.m. Monday to Thursday.
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 Documents(s) Form* that is available from the Designation Officer or from the FOIA Unit.
3. Queries for amendments to documents containing personal information about the applicant are to be directed to the Designation Officer in the form of a letter.
4. To ensure prompt handling of requests, please address requests 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.

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, reports, etc.

#### Time allowed

1. Applicants will be notified within thirty calendar days or before whether or not the request is approved.
2. Applicants whose requests are incomplete or unclear will be informed of the same by the Designated Officer who will make arrangements to consult with the applicant, with a view to clarifying the request.
3. The time limit of thirty 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.
4. 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 inform the applicant of alternative recourses that are open to him/her.
5. If NGC fails to meet the thirty-day deadline, the Act gives the applicant the right to proceed as though his/her request has been denied.
6. If it appears that processing the applicant's request may take longer than the statutory limit, NGC will acknowledge the receipt and advise the applicant of its status.
7. 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

1. 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. However, where access to an official document is to be given in the form of printed copies, or copies in some form such as a tape, disk, film or other material, the applicant shall pay the prescribed fee incurred for duplication of the said material.
2. Details of charges for duplication of documents will be determined based upon individual requests by applicants.
3. Applicants will be required to complete an official company invoice before funds are paid to the Cashier.

## SECTION 7(1) (a) (vi)

Officer 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



# FOIA Public Statement 2018

3. Application for correction of personal information under Section 36 of the Act

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) 636-9405  
Email: annm@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 limits of this Section of the Act.

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

### **Reading room facilities**

Information in the public domain can be accessed through our website at [www.ngc.co.tt](http://www.ngc.co.tt). General information enquiries can be made to the Manager, Corporate Communications Division, at (868) 636-4662 Ext. 2102

For the purposes of FOIA reference, documents may be viewed between 9:30 a.m. and 3:00 p.m. 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 the use of this facility.

## **STATEMENTS UNDER SECTION 8 OF THE ACT**

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

1. Safety policies and procedures
2. Tenders' rules and procedures
3. Recruitment policy
4. Visitors' security policy
5. Third party accident/injury policies and procedures
6. Information management 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

## **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 of a body or entity established outside of NGC by or under written law, or by a Minister of Government or other public authority for the purpose of submitting reports, providing advice or making recommendations to NGC or to the responsible Minister

1. Reports for
  - a. The Natural Gas Export Task Force

### **SECTION 9(1) (c)**

A report or statement containing the advice or recommendations of an interdepartmental committee whose membership includes an officer of NGC

1. Reports containing advice and /or recommendations from:
  - a. Human Resources Committee
  - b. Operations Committee
  - c. Tenders Committee
  - d. Audit Committee
  - e. Finance and Investment 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-organisation 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 of 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 statements.

### **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