

# 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 2020

The Freedom of Information Act, Chap. 22:02 ("the Act") gives members of the public:

1. A legal right to access information held by a public authority (as defined in the Act).
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 for information under the Act.
4. A legal right to refer matters to the Ombudsman and to apply to the High Court for Judicial Review to challenge adverse decisions made under the Act.

The National Gas Company of Trinidad and Tobago Limited ("NGC") is required, by virtue of the Act, to publish certain information for the benefit of the public. This includes information regarding the structure and functions of NGC and a list of the categories of documents held by NGC. It also requires NGC to identify those documents which are eligible/available for public access under the Act, and sets out how to obtain 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 following information has been approved by the Minister of Energy and Energy Industries.

#### STATEMENTS UNDER SECTION 7 OF THE ACT

##### (1) SECTION 7(1) (a) (i) Corporate Particulars and Function

NGC is a wholly-owned state enterprise incorporated on August 22nd, 1975 as a limited liability company under the Companies Ordinance Chapter 31 No. 1 and continued as a company on April 17th, 1998 under the Companies Act Chapter 81:01 of the laws of the Republic of Trinidad and Tobago. Its registered office is at Orinoco Drive, Point Lisas Industrial Estate, Point Lisas.

Listed below are NGC's wholly/majority-owned subsidiary 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 Processors Limited ("PPGPL")
- NGC Caribbean Investments Limited ("NCIL")

- NGC Petrochemicals Limited ("NPL")
- NGC Trinidad and Tobago LNG Limited ("NGC LNG")
- Downstream Petrochemical Research and Development Company Limited ("DOWNSTREAM")
- NGC E&P Investments (Barbados) Limited ("NGC E & PIN")
- NGC E&P (Barbados) Limited ("NGC E & PB")
- NGC Group Captive Insurance (Barbados) Limited ("CAPTIVE")

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

The scope of business of NGC and its subsidiary companies is:

- Purchase and sale of natural gas
- Transmission and distribution of natural gas, including pipeline construction and maintenance
- Processing, fractionation and marketing of natural gas liquids ("NGLs")
- Natural gas market development and merchandising, 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 and shareholdings
- Marketing of compressed natural gas ("CNG")
- Liquefied natural gas ("LNG") production
- Energy marketing and trading
- Strategic partnerships, locally, regionally and internationally, across the gas value chain.

##### Decision-Making Powers

NGC is governed by a Board of Directors appointed by NGC's sole shareholder/beneficial owner, the Corporation Sole. The current constitution of the Board of Directors is as follows:

- Mr. Conrad Enill – Chairman
- Mr. Kenneth Allum
- Mr. Marcus Ganness
- Mr. Sean Balkissoon
- Ms. Sandra Fraser
- Mr. Dan Martineau
- Mr. Mark Loquan
- Mr. Howard Dottin

Six (6) Board sub-committees assist in formulating and guiding the business and policies of NGC:

- The Audit Committee ("AC")
- The Finance and Investment Committee ("FIC")
- The Human Resource Committee ("HRC")
- The Tenders Committee ("TC")
- The Operations Committee ("OC")
- The Branding and Sustainable Development Committee\* ("BSDC")

\*Name under review

The NGC's Leadership Team ("LT") comprises the following:

- Mr. Mark Loquan – President
- Ms. Verlier Quan Vie – Vice President, Commercial
- Mr. Narinejit Pariag – Vice President, Finance, Technology and Risk
- Mr. Edmund Subryan – Vice President, Legal and Corporate Affairs
- Mr. Ramesh Harrylal – Vice President, Operations
- Mr. Himalaya Boodoosingh – Senior Manager, HSE and Security
- Mr. Winston Mohammed – Senior Manager, Projects
- Mr. Kurt Scotland – Senior Manager (Ag.), Supply Chain Management
- Ms. Carol Sylvester-London – Manager, Human Resources
- Ms. Lisa Burkett – Manager, Corporate Communications

Further details regarding NGC's Leadership Team are available on NGC's website: [www.ngc.co.tt](http://www.ngc.co.tt).

##### Company Structure

The four (4) operating Groups within NGC are:

- **Commercial**, which manages upstream gas supply operations, upstream non-operating joint ventures, mid/downstream petrochemical gas sales operations, LNG and petrochemical shareholder management, commercial assurance, power, manufacturing industries and energy efficiency management, energy marketing and trading, and gas business development.
- **Finance, Technology and Risk**, whose function includes records management, managing financial operations, treasury and investments, taxation, financial planning and reporting, risk and insurance, and information and communication technology.
- **Legal and Corporate Affairs**, which provides corporate and commercial legal services to protect the company against risk and liability, and oversees the work of the Corporate Governance and Compliance Division of the company.
- **Operations**, the main functions of which include natural gas transportation and distribution, pipeline operations, pipeline maintenance and asset integrity, field engineering, and strategic projects.

There are also seven (7) independent Divisions:

- **Corporate Communications** provides corporate social responsibility ("CSR"), communications and branding, and stakeholder and reputation management services.
- **Health, Safety, Security and Environment** provides health, safety, security and environment 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.

# FOIA Public Statement 2020

- **Group Internal Audit** provides independent, objective assurance and consulting services designed to add value and improve the company's (and the NGC Group's) operations.
- **Office of Strategic Management** handles business intelligence, planning, alignment and strategic initiatives in order to facilitate development, alignment and execution of strategy at all levels. It also assists in monitoring risks in the achievement of corporate objectives by applying the requisite quality assurance.
- **Supply Chain Management** provides projects, engineering and operations support, procurement, contract administration, inventory, logistics, warehousing and supply chain management services.
- **Projects** provides engineering (including geomatic and construction engineering), site management, project management, project management controls, commissioning support, and facilities management services.

## Effect of Scope of Business on Members of the Public

The Vision and Mission of NGC and its main operating subsidiaries are as follows:

**Vision:** To be recognised as a global leader in the development of sustainable energy-related businesses.

**Mission:** To create exceptional value from the natural gas and related energy businesses through our people and strategic partnerships.

The Core Values of the NGC Group, which guide its business practices and activities, are as follows:

- Integrity
- Employee Engagement
- Excellence
- Safety and Environmental Preservation
- Transparency
- Customer Focus
- Corporate Social Responsibility

NGC creates national value for Trinidad and Tobago through its activities along the natural gas value chain. A value chain is a chain of activities that processes raw material through a number of intermediate stages to a marketable end product. However, 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. NGC's activities may, however, potentially impact individuals through the social value of the value chain (i.e. job creation, skills development and positive impact on communities and NGC's CSR activities).

## (2) SECTION 7(1) (a) (ii)

### Categories of Documents likely to be 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

#### 2. Intra-Governmental Correspondence

- a. Communication with ministries and other Public Authorities
- b. Reports to the Central Statistical Office and other governmental 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

#### 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, etc.)
- 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 the National Energy, and estate management operations of LABIDCO

#### 9. Health, Safety, Security and Environment

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

## (3) SECTION 7(1) (a) (iii)

### Documents prepared for Publication and Inspection

The following publications and other general information are available on NGC's website: [www.ngc.co.tt](http://www.ngc.co.tt).

If in stock and available, the public may also inspect and/or obtain copies of the said materials between the hours of 10:00 a.m. and 2:30 p.m. Monday to Thursday 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

Materials include:

- GASCO News Magazine (Quarterly)
- NGC's *Sustainability Report* (Annually)
- Various pamphlets, leaflets, booklets, videotapes and brochures relating to natural gas and the natural gas industry
- Annual Reports
- *Beyond the Pipeline* (Semi-Annually)
- Speeches and presentations to public forums, conferences, etc.

## (4) SECTION 7(1) (a) (iv)

### Documents available by way of Subscription

NGC currently does not publish any documents that are available by way of subscription save and except for NGC's GASCO News Magazine which is available electronically and can be subscribed to via the website.

## (5) SECTION 7(1) (a) (v)

### Procedure to be followed to access Official Documents under the FOIA

#### How to request information:

1. Requests for public documents and public services under the FOIA will be entertained between the hours of 9:30 a.m. and 3:00 p.m. Monday to Friday, except on public holidays.
2. All requests for access to documents that are not readily available in the public domain are to be made, in writing, on the Request for Access to Official Document(s) Form (pursuant to Section 13 of the Act) that is available from the Designated Officer or Alternate Designated Officer, or from the FOI Unit, Ministry of Communications, at their website: [www.foia.gov.tt](http://www.foia.gov.tt).
3. Queries for amendments to documents containing personal information about the applicant are to be directed to the Designated Officer or Alternate Designated Officer, in writing, in the form of a letter.
4. To ensure prompt handling of requests, please address all requests to the Designated Officer or Alternate Designated Officer of NGC.
5. Requests will be acknowledged as official only 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, in like manner. However, in order to derive the rights given to the



# FOIA Public Statement 2020

applicant under the Act (e.g. the right to challenge a decision if the request for information is refused), the applicant must make such requests for information in writing (and these will be the only requests viewed as official requests under the Act).

8. If insufficient information is provided regarding the information being requested, 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, prior communication with the Designated Officer or Alternate Designated Officer, or with the FOI Unit, Ministry of Communications ([www.foia.gov.tt](http://www.foia.gov.tt)) 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 (e.g. by way of brochures, reports, and the like). Where possible, the applicant will be directed to these public sources.

## Time Permitted

1. Applicants will be notified within thirty (30) calendar days from the date of submission, whether or not their request is approved. Requests may also be partially approved.
2. Applicants whose requests are incomplete or unclear will be informed of 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 (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.
4. An applicant whose request for documents is refused will be notified, in writing, of the reasons for refusal. The applicant will be informed of alternative recourses that are open to him/her in light of the refusal.
5. Subject to the above item No. 3, if NGC fails to meet the thirty (30)-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 thirty (30)-day statutory limit, NGC will acknowledge receipt and advise the applicant of its status. NGC may also request a formal extension of the time frame in which to deliver the requested information, which must be approved by the applicant.
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 or Alternate Designated Officer has received the request, and to ascertain its status.
8. NGC will count the delivery date of the request as the date it was received by mail, or the date it was delivered to the Designated Officer or Alternate Designated Officer via e-mail.

## 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 the duplication of said material.
2. Details of charges for the 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.

## (6) SECTION 7(1) (a) (vi) Responsibilities of the Designated Officer and/or Alternate Designated Officer

The Designated Officer (and/or Alternate Designated Officer) in NGC is responsible for:

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

The Designated Officer is:  
Venishea Paynter  
The National Gas Company of  
Trinidad and Tobago Limited  
Orinoco Drive  
Point Lisas Industrial Estate  
Point Lisas, Couva  
Phone: (868) 636-4662/4680 Ext. 1553  
Fax: (868) 636-9405  
Email: [venishea.paynter@ngc.co.tt](mailto:venishea.paynter@ngc.co.tt)

The Alternate Designated Officer is:  
Alicia Neebar  
The National Gas Company of  
Trinidad and Tobago Limited  
Orinoco Drive  
Point Lisas Industrial Estate  
Point Lisas, Couva  
Phone: (868) 636-4662/4680 Ext. 1563  
Fax: (868) 636-9405  
Email: [alicia.neebar@ngc.co.tt](mailto:alicia.neebar@ngc.co.tt)

## (7) 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.

## (8) 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) 636-4662/4680, Ext. 2102.

For the purposes of FOIA reference, documents may be viewed between 9:30 a.m. and 3:00 p.m. Monday to Friday (except public holidays), 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 policy and procedures
2. Recruitment policy
3. Visitors' security policy
4. Third party accident/injury policies and procedures
5. Information management policies and procedures

These documents fall under the following categories:

### 1) 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.

### 2) 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.

### 3) 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

At NGC, the following documents may fall into the categories set out in Section 9 of the Act:

### 1) SECTION 9(1) (a)

A report or statement containing the advice or recommendations of a body or entity established within NGC.

- i. 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
- ii. Accident/incident reports
- iii. Pipeline inspection reports
- iv. Environment and safety reports and recommendations

### 2) 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.

At this time, we have no such statements/reports.

### 3) SECTION 9(1) (c)

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

- i. Reports containing advice and/or recommendations from:
  - a. The Audit Committee ("AC")
  - b. The Finance and Investment Committee ("FIC")
  - c. The Human Resource Committee ("HRC")
  - d. The Tenders Committee ("TC")



# FOIA Public Statement 2020

- e. The Operations Committee (“OC”)
  - f. The Branding and Sustainable Development Committee\* (“BSDC”)
- \*Name under review.

#### 4) 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.

- i. Accident/incident reports
- ii. Pollution claims
- iii. Periodic financial data reports

#### 5) 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.

- i. Feasibility studies
- ii. Environmental Impact Assessments (EIAs)
- iii. Pre- and post-lay surveys
- iv. Scientific tests relating to natural gas

#### 6) SECTION 9(1) (f)

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

- i. Environmental Impact Assessments (EIAs)
- ii. Consultancy reports
- iii. Means and assets/investigative reports
- iv. Financial reports and audits
- v. Health, Safety and Security (HSS) reports

#### 7) 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.

- i. Feasibility studies
- ii. Environmental Impact Assessments (EIAs)

#### 8) 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.

- I. Financial reports
- II. Audit reports
- III. Project status reports

#### 9) 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.

- i. Budgets
- ii. Business plans
- iii. Strategic plans

#### 10) SECTION 9(1) (j)

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

At this time, we have no such statements.

#### 11) SECTION 9(1) (k)

A report of a test on a product, carried out within NGC, for the purpose of purchasing equipment.

At this time, we have no such statements.

#### 12) SECTION 9(1) (l)

An environmental impact statement prepared within NGC.

At this time, we have no such statements.

#### 13) SECTION 9(1) (m)

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

- i. Valuation reports
- ii. Actuarial reports

