

**The Twenty-Third Report of the Public Accounts (Enterprises) Committee on the Examination of the Audited Financial Statements of the InvesTT Limited for the Years 2014 to 2017.**

Recommendation

In its Twenty-Third Report, the Public Accounts (Enterprises) Committee (PA(E)C) recommended that “The MALF, the MAGLA, the MoF, the MoH, the MPD, the MPA, the MOWT, the CED, the IRD, the Office of the Supervisor of Insolvency and the Treasury Division should provide a status update on the Ease of Doing Business (EODB) initiatives with which they are involved by November 30, 2019.”

Responses to the Committee’s recommendation:

1) The Office of the Supervisor of Insolvency

*The Office of the Supervisor of Insolvency (OSI), Ministry of Finance, was established in June 2014 to instil public confidence in the financial system of Trinidad and Tobago. As a regulatory organization, the OSI is charged with the responsibility of monitoring, protecting and strengthening the insolvency system of Trinidad and Tobago. The Bankruptcy and Insolvency Act (BIA), Chapter 9:70, enacted in 2007, was partially proclaimed on May 23, 2014 and came into effect on May 26, 2014. The BIA provided the authority for the establishment of both the position and the public office of the Supervisor of Insolvency. Hence, the Supervisor is charged with the general administration of the BIA.*

*The purpose of the BIA Chapter 9:70, is to introduce Trinidad and Tobago to speedy insolvency proceedings thus making the country’s insolvency system more effective and efficient. This notwithstanding, the following was envisaged: debtor and creditor protection; lower credit costs; increased access to credit; improved creditor recovery; ease of doing business; a framework for debtor counseling; a fair and effective system for the restoration of assets to productive use; a public record of estates; encouragement for viable businesses to reorganize; and a deterrent to abuse.*

*The OSI has embarked on an outreach initiative both locally and regionally, in an effort to increase visibility, public awareness and to inform of the services the OSI provides. Thus far, the Office has met with local stakeholders, namely: the Judiciary of Trinidad and Tobago, the American Chamber of Commerce of Trinidad and Tobago (AMCHAM T&T), Trinidad and Tobago Manufacturers’ Association (TTMA), the Central Bank of Trinidad and Tobago (CBTT), the Banking, Insurance and General Workers Union (BIGWU) and the Export Import Bank of Trinidad and Tobago Limited (EXIMBANK). Further, the OSI is in the process of engaging other key stakeholders to support the objectives of the Office.*

*The OSI has received the support from regional offices such as the OSI of Barbados, the British Virgin Islands Financial Services Commission and the OSI of Jamaica, for a collaborative effort to share in knowledge and experience to improve the Bankruptcy and Insolvency Regime in our respective countries.*

*Further, the OSI is partnering with the World Bank Group (WBG) to conclude a Reimbursable Advisory Services Agreement which will target the following areas: reform of the BIA,*

*capacity-building for the OSI staff, judicial training and Trustee training. The current outreach initiative serves as a platform to assist the WBG in engaging the local stakeholders as part of its scoping mission, to bring awareness of the Office of the benefits of the BIA.*

*In light of the above, these initiatives will aid in improving the efficiency of the current insolvency regime and therefore, resulting in an improved environment to facilitate EODB.*

## 2) Treasury Division

*The Treasury Division's implementation of the Electronic Funds Transfer (EFT) by Government of the Republic of Trinidad and Tobago (GoRTT) includes the ability to make and receive electronic payments. This initiative would improve the efficiency of the payments and receipts systems of Government and provide the public with more efficient and convenient options for conducting transactions with GoRTT and delivering citizen-centric e-government services that facilitate online applications and payments. The GoRTT amended the Exchequer and Audit Act, Chapter 69:01 in June 2014 to facilitate EFT and the making of Regulations to provide for:*

- a. The conditions relating to EFT;*
- b. Processes and controls for ensuring authentication and access to information;*
- c. Controls to support the use of electronic signatures;*
- d. Controls to ensure protection for clients and public bodies; Liabilities of the State; and*
- e. Dispute resolution.*

*Subsequently, the related Exchequer and Audit (EFT) Regulations 2015 made provision for Government to accept receipts and make payments via EFT.*

*In 2016, the Treasury Division (TD) issued a Request for Proposal for the Implementation of EFT for the Ministry of Finance, GoRTT, however, none of the respondents were successful in the evaluation. In 2017, an opportunity was presented for collaboration with the Ministry of Trade and Industry (MTI), to align the EFT initiative with the E-commerce project to facilitate trade and business facilitation under the IDB loan for the Single Electronic Window (SEW) Programme. A revised RFP was advertised resulting in the procurement of the services of an international Consultant.*

*MTI issued a Contract in November 2017 for the Provision of Consultancy Services to provide advisory services to assist in the implementation of an Electronic Funds Transfer Framework. The Consultant commenced work in November 2017 in accordance with the approved scope of work and it was anticipated that the Project would be completed in six months and instructions made available. However, due to issues with the timeliness and quality of the Consultant's submissions, his contract was not renewed. The end of the consultancy meant that certain key deliverables, including the drafting of Ministerial Instructions for Ministries and Departments could not be delivered.*

*Subsequently, the Treasury Division received requests from the Ministry of Works and Transport (MOWT) to implement LINX and the Ministry of the Attorney General and Legal Affairs, to implement On-line Credit Card. The Treasury Division therefore sought to undertake to complete the following:*

- a. *Draft Ministerial Instructions to operationalise LINX and Online Credit Card; and*
- b. *Negotiation of LINX and Online Credit Card Bank Agreements.*

*These are being finalised in conjunction with National Information and Communications (iGovTT) and Treasury Solicitor's Department.*

*Currently, the Treasury Division is reviewing the draft LINX Agreement as well as the Merchant Online Agreement together with all stakeholders in an effort to finalize same. Also, LINX Instructions and Online Instructions are being finalised in collaboration with the respective entities.*