



Lake Asphalt

of Trinidad and Tobago (1978) Limited

Government of the Republic of Trinidad and Tobago

Ministry of Works and Transport

Lake Asphalt of Trinidad and Tobago (1978) Limited

Public Statement 2022 & 2023 in Compliance with Sections 7, 8 and 9 of the
Freedom of Information Act, Chapter 22:02 (FOIA).

PART I - SECTION 7: STATEMENTS

Introduction

In accordance with Sections 7, 8 and 9 of the *Freedom of Information Act, Chapter 22:02* ("FOIA"), Lake Asphalt of Trinidad and Tobago (1978) Limited (Lake Asphalt) is required by law to publish the statements contained herein, which lists the documents and information generally available to the public.

The FOIA gives members of the Public ("the applicant"):

- (i) A legal right to access official documents held by Lake Asphalt;
- (ii) A legal right to have official information relating to himself or herself amended where it is incomplete, incorrect or misleading or not relevant for the purpose for which the document is held;
- (iii) A legal right to obtain reasons for adverse decisions made regarding an applicant's request for information under the FOIA; and
- (iv) 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.

Lake Asphalt publishes the following statement as approved by the Minister of the Ministry of Works and Transport in accordance with Sections 7(1)(b) and 9(2)(b) of the FOIA.

Section 7 (1) (a) (i)

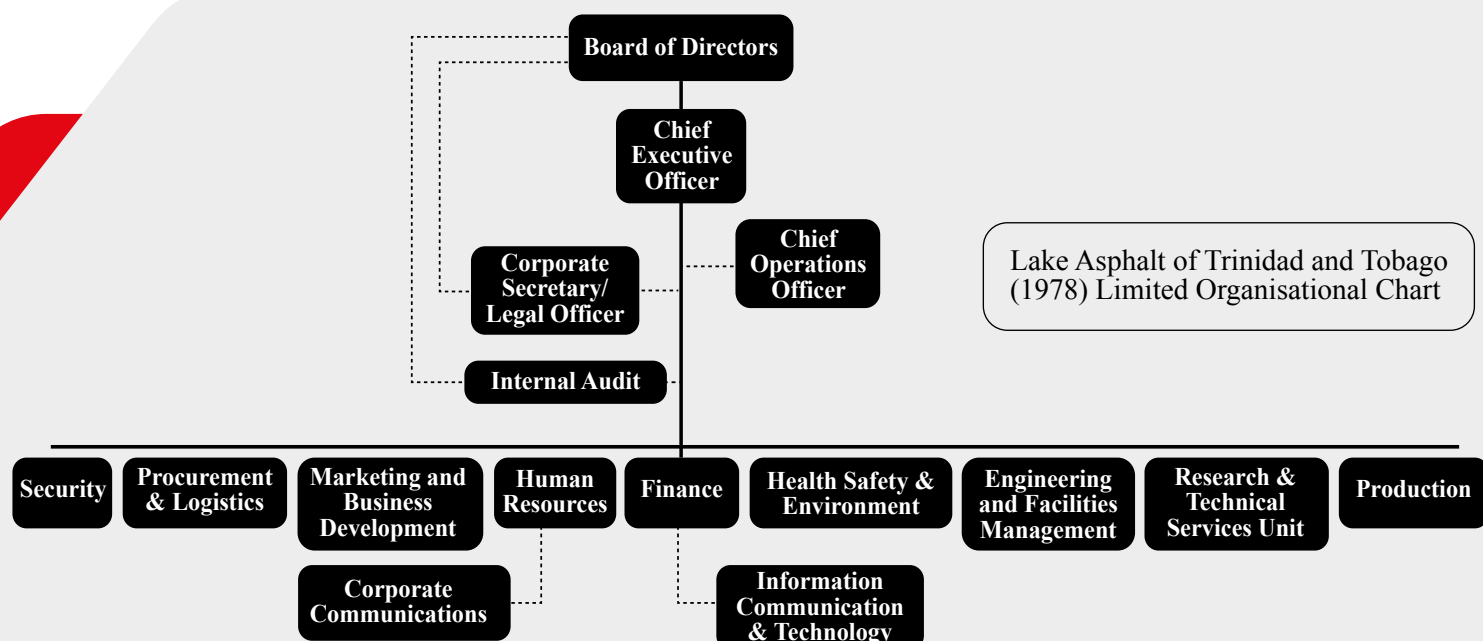
1. Mission Statement

"To provide superior quality asphalt and bituminous products to the world in a socially and environmentally responsible manner."

2. Function and Structure

Lake Asphalt was incorporated on April 27, 1978 under the *Companies Ordinance Ch.31 No.11* as a wholly owned subsidiary of Trinidad and Tobago Oil Company Limited. Lake Asphalt continued under Section 343 of the *Companies Act, Chapter 81:01* and was subsequently made a wholly owned state enterprise in 1998 falling under the purview of the Ministry of Energy and Energy Industries. Its registered office is located at LP 4717, Brighton, La Brea.

The primary role of Lake Asphalt is to monetize the asphalt from the Pitch Lake. Lake Asphalt is therefore involved in the extraction, refining, processing and marketing of dried asphalt, asphalt cement and asphalt based derivatives, as well as bituminous emulsions, and is responsible for managing the Pitch Lake. Lake Asphalt's revenue is generated from local, regional and international sales. Lake Asphalt's operations are dependent upon product demand.



2.1. Organisational Structure

Lake Asphalt is headed by a Board of Non-Executive Directors. The current Board was appointed on August 05, 2022.

The composition of the Board of Directors of Lake Asphalt is as follows:

Mr. Neil Mohammed	- Chairman (with effect from January 20, 2023)
Mr. Sterlin Mc Alister	- Chairman (August 05, 2022 - January 15, 2023)
Mr. Ronald Alfred	- Director (with effect from January 20, 2023)
Mr. Allister Badoo	- Director
Mr. Alston Cadore	- Director
Mr. Anthony Mc David	- Director

The Board is supported by a Corporate Secretary whose responsibilities include ensuring that good corporate governance practices are adhered to.

Five (5) Board Sub-committees assist in formulating and guiding the business and policies of Lake Asphalt:

- The Board Audit Committee;
- The Board Finance Marketing and Strategy Committee;
- The Board Human Resource Committee;
- The Board Tenders Committee; and
- The Board Operations Committee

The Management Team is responsible for the management of Lake Asphalt and reports to the Board via the Chief Executive Officer. Lake Asphalt currently employs 166 permanent employees, 11 contract employees and from time to time, a number of casual workers divided into the following responsibility centers:

THE OFFICE OF THE CORPORATE SECRETARY/LEGAL OFFICER (CS/LO) which provides support to the Board of Directors of Lake Asphalt while safeguarding the integrity of the Company's governance framework. Additionally, the office ensures that Lake Asphalt is in compliance with statutory and regulatory requirements, and implements decisions made by the Board of Directors. Specifically, the Office of the CS/LO:

- Maintains statutory records inclusive of board minutes, quasi-legislative reports, annual returns and other company filings;
- Convenes meetings as requested by Directors and key stakeholders under the provisions of the Companies Act;
- Reviews and/or prepares and/or drafts correspondence, contractual agreements, legal and quasi-legal documents; and,
- Instructs on litigation matters in which Lake Asphalt is involved.

INTERNAL AUDIT which assists the Management of Lake Asphalt in meeting its responsibilities effectively by:

- enhancing and protecting organisational value by providing risk based, independent and objective assurance and insight relative to financial, managerial and operational information; and,
- bringing a systematic, disciplined approach to evaluate and improve the effectiveness of governance, risk management and control processes.

Internal Audit was officially established by the Board of Directors in February 2008 and reports functionally to the Audit Committee of the Board of Directors and administratively to the Chief Executive Officer.

PROCUREMENT AND LOGISTICS which is responsible for executing safe, effective and efficient procurement activities for Lake Asphalt with integrity and transparency. The department aims to effect all procurement activities in accordance with the principles of good governance and, with a view to achieve local industry development, while garnering value for money for the Lake Asphalt. The department's tender process and operations are aligned with the legal and regulatory requirements governing public procurement inclusive of the Public Procurement and Disposal of Public Property Act, No.1 of 2015 and the *Central Tenders Board Act, Chapter 71:91*.

HEALTH, SAFETY AND ENVIRONMENT (HSE) which is responsible for ensuring that employees at all levels, contractors, customers, suppliers, visitors and anyone else who may be affected by Lake Asphalt's operations are aware of, understand and comply with the specified duties and responsibilities relating to HSE, in keeping with legislative requirements and industry best practice. In this regard, all Lake Asphalt's employees, contractors, customers, suppliers and visitors are required to attend the company's HSE Orientation. Lake Asphalt also has an active Safety and Health Committee in accordance with the Occupational Safety and Health Act, Chap.88:08.

FINANCE which is responsible for all financial services of Lake Asphalt inclusive of financial reporting, accounting and payroll administration.

MARKETING AND BUSINESS DEVELOPMENT which is responsible for the marketing and sales of all Lake Asphalt's products locally, regionally and internationally. The department is also tasked with the development of international business through joint ventures, alliances and a distributor network.

ENGINEERING AND FACILITIES MANAGEMENT which acts as a support to the manufacturing arm of the organisation. Engineering and Facilities chiefly provides technical services with respect to the installation and maintenance of process equipment, while also ensuring there is always an adequate and reliable supply of utilities (steam, air, water and electricity).

PRODUCTION which is responsible for maintaining the high production levels and quality of Lake Asphalt's core product, Trinidad Lake Asphalt (TLA) that is delivered to local, regional and international markets at cost effective prices in adherence to health, safety and environmental procedures and standards.

CORPORATE COMMUNICATIONS which is responsible for the management and coordination of all Lake Asphalt's communications, external affairs, branding and, corporate social responsibility. All activities of the department are geared towards engendering coherence, credibility and strong ethics within Lake Asphalt.

HUMAN RESOURCES which is chiefly responsible for the sustainable management of people; their organisational performance and personal well-being. This function supports Lake Asphalt's strategic plans by driving its culture through recruitment and talent management operations, employee training and development, compensation and benefits administration, employee relations and good industrial relations practices.

RESEARCH AND TECHNICAL SERVICES UNIT (RTSU) which is responsible for the technical aspects of Lake Asphalt's operations. Specifically, the department provides quality control, quality assurance and technical assistance services for clients and distributors. Further, the department ensures all Lake Asphalt products are tested for conformance to specifications. The department is also heavily research focused with a view to conceptualise, develop and expand Lake Asphalt's core product line, thereby developing additional business streams for Lake Asphalt, as well as making improvements to Lake Asphalt's existing products.

SECURITY (LAKE ASPHALT POLICE DEPARTMENT) which is the first and last point of access to employees, visitors and other stakeholders. Further, Security is also charged with the responsibility of securing Lake Asphalt's assets against larceny, vandalism and natural disasters. Having a robust Security department is a risk management strategy in maintaining a safe and secure working environment while minimising losses and downtime. The Security Department is guided by the Supplemental Police Act, Chap. 15:02 as well as Standing Orders as set out by the Trinidad and Tobago Police Service.

INFORMATION COMMUNICATION AND TECHNOLOGY (ICT) which is responsible for the integration of technologies that provide users with tools, information and services as required, to accomplish Lake Asphalt's objectives. ICT's core functions are communication, data management, enterprise resource planning and, data and network security. ICT also habitually engages in research to facilitate the cost effective provision of current technologies and implement industry best practices in Lake Asphalt.

Effect of functions on members of the public

Lake Asphalt's main interface with members of the public is in the form of the Customer – Supplier relationship in which case, the "public" refers to commercial entities and individuals in the Road Paving Industry, as well as customers of the LASCO line of products. It should be noted that Lake Asphalt is responsible for managing the Pitch Lake, excluding the tourism aspect of the Lake, and as such, the Pitch Lake as a tourist site does not fall under its jurisdiction. Lake Asphalt has no relationship with any tour guides, officials or otherwise who are attached to the Pitch Lake.

Section 7 (1) (a) (ii)

Categories of Documents which are likely to be in the possession of Lake Asphalt:

Lake Asphalt maintains records that relate to its administrative functions, support services and its technical operations. These records are generally categorised as follows:

ADMINISTRATIVE

1. Files dealing with administrative support and general administrative documents for the operations of Lake Asphalt;
2. Personnel files relating to staff appointments, job applications, job specifications, promotions, transfers, resignations, deaths, retirements, leave, vacation;
3. Internal and external correspondence files;
4. Files dealing with training;
5. Minutes and other documents pertaining to meetings;
6. Circulars, Memorandums, Notices, Bulletins;
7. Licenses and Permits;
8. Policies and Procedures (Conflict of Interest Policy, Whistle Blowing Policy, Fraud Policy, Code of Ethics and Conduct, Directors Code of Ethics and Affirmation, Internal Audit Charter, Enterprise Wide Risk Management Policy, Controlling Company Operations, Health, Safety & Environment Policies);
9. News Releases and Speeches;
10. Files relating to the Strategic Intent of Lake Asphalt;
11. Pension plan documents; and
12. Files relating to the Lake Asphalt's Corporate Communication initiatives including matters relating to Corporate Social Responsibility.

LEGAL

1. Legal Opinions and related matters;
2. Contractual Agreements: Distributorship/ Consultancy/Service Agreements;
3. Legislation; and
4. General Contracts.

FINANCIAL

1. Financial and Accounting Files
2. Policies - Overseas Travel, Delegation of Financial Authority, Credit Card Policy Revised
3. Financial Policy Statements
4. Vouchers, Receipts, Cheques
5. Accounts Payable and Receivable Records
6. Invoices
7. Files relating to procurement of supplies and services
8. Fixed Asset Register
9. Files relating to Information Technology

MARKETING

1. Customer Files
2. Magazines and brochures on products
3. Sales & Production Statistics
4. Policies – Development of Pricing Policy, Development of Pricing Strategy, Published Price Lists, Discount Policy

PROCUREMENT AND LOGISTICS

1. Request for Proposals
2. Policies – Tenders Rules and Procedures, Community Based Contracting

TECHNICAL

1. Books
2. Pamphlets, periodicals and publications
3. Feasibility Studies
4. Technical Information on the composition of the Lake for educational purposes.
5. Technical Brochures on TLA and projects using TLA
6. Technical Specifications for TLA

Section 7 (1) (a) (iii)

Material prepared for publication or inspection

If in stock and available, the public may inspect and/or obtain copies of the following material between the hours of 9:00 a.m. – 3:30 p.m. Monday to Friday at:

Lake Asphalt of Trinidad and Tobago (1978) Limited
Administration Building
Brighton, La Brea
Telephone No.: 648-7583
Fax No.: 648-7433
Email: latt@trinidadlakeasphalt.com
Website: www.trinidadlakeasphalt.com

1. Various pamphlets; leaflets and brochures relating to Lake Asphalt products
2. Annual Financial Reports;
3. Collective Agreements

4. Various policies and procedures as listed in Section 8 (1) (a) (ii) of the FOIA

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

Section 7 (1) (a) (iv)

Literature available by subscription

There is no literature available by subscription at this time.

Section 7 (1) (a) (v)

Procedure to be followed when accessing a document from Lake Asphalt

How to Request Information

■ General Procedure

The policy of Lake Asphalt is to respond to all requests both oral and written, for information. However, in order to have the rights given to the applicant by the FOIA (for example, the right to challenge a decision if the request for information is refused) **the applicant must make his/her request in writing**. The applicant must complete the appropriate form “Request for Access to Official Documents” which is available from the Receptionist/ Telephone Operator in Lake Asphalt’s Administration Building, Brighton, La Brea, or on the FOIA website available at <http://www.foia.gov.tt/>. This form is used for information that is not readily available in the public domain.

■ Addressing Requests

To facilitate prompt handling of the request, the Form should be addressed to the Designated Officer – *Freedom of Information Act, Chapter 22:02* of Lake Asphalt of Trinidad and Tobago (1978) Limited [see section 7(1) (a) (vi) for further details] and delivered in person or via mail.

■ Details in Request

Applicants should provide sufficient details that will allow for ready identification and location of the records being requested. If insufficient information is provided clarification will be sought from the applicant in an attempt to comply with the request. The applicant can seek assistance from the designated officer or an officer of the Freedom of Information Unit (FOIU) to complete the form.

The FOIU can be contacted at:

The Freedom of Information Unit
Ministry of Communications
TIC Building
Lady Young Road
Morvant
Trinidad
Tel: (868) 674-1333

Requests not handled under the FOIA

A request under the FOIA will not be processed if the information requested is:

1. A document which contains information that is open to public access, as part of a public register or otherwise, in accordance with another written law where that access is subject to a fee or other charge;
2. A document which contains information that is available for purchase by the public in accordance with the arrangements made by the Lake Asphalt;
3. A document that is available for public inspection in a registry maintained by the Registrar General or other public authority; and
4. A document which is stored for preservation or safe custody, being a document which is a duplicate of a document of a public authority.

Time Limits

General

The FOIA sets a time limit of **thirty (30) calendar days** for determination of an applicant's request for access to documents. If Lake Asphalt fails to meet this deadline, the FOIA gives the applicant the right to proceed as though the request has been denied. Lake Asphalt will try diligently to comply with the time limit. If it appears that processing the request may take longer than the statutory limit, Lake Asphalt will advise the applicant of this prior to the expiry of the thirty days. Since there is a possibility that requests may be incorrectly addressed or misdirected, the applicant may wish to call or write to confirm that Lake Asphalt has received the request and to ascertain its status.

Time Allowed

Lake Asphalt will determine whether to grant the request for access to information as soon as practicable but no later than **30 days after the day** on which the request is duly made, as required by Section 15 of the FOIA. If a decision is taken to grant access to the information requested, the applicant will be permitted to inspect the documents and/or be provided with copies.

Right to Appeal

Lake Asphalt's failure to provide a response within **30 days after the day** on which the request was made; or, conversely, the applicant's receipt of Lake Asphalt's written notice stating its reason(s) for refusing the FOIA request, gives the applicant the right to appeal.

The applicant may appeal in two (2) ways:

1. Complain to the Ombudsman; and/or
2. Apply to the High Court for judicial review of the decision.

Upon the expiry of the **30 day** period with no response received; or, within **21 days** of receiving the notice of refusal of a request, the applicant may complain in writing to the Ombudsman. In accordance with Section 38A (1) of the FOIA, the Ombudsman shall examine the requested document (if it exists), and make recommendations with respect to granting access to the document as he believes fit. The Ombudsman will complete this procedure within **30 days or as soon as practicable**.

The Judicial review process is governed by the *Judicial Review Act, Chap.7:08*. An application to the High Court for judicial review of Lake Asphalt's decision, must be made **within 3 months of the receipt of Lake Asphalt's written notification of refusal**. Conversely, if upon the expiry of the **30 day** period the applicant has not received a response, the applicant may **within 3 months of that date**, apply for Judicial Review.

Responding to the Applicant's Request

Retrieving Documents

Lake Asphalt as a public authority, is required to furnish copies of documents only when they are in its possession, or when they can be retrieved from storage. Information stored in the National Archives or other storage centers will be retrieved in order to process the request.

Furnishing Documents

An applicant is entitled to copies of information in the possession, custody or power of Lake Asphalt. Lake Asphalt is required to furnish only one copy of a document. If Lake Asphalt cannot make a legible copy of a document to be released, Lake Asphalt may not attempt to reconstruct it. Instead, Lake Asphalt will furnish the best copy possible and state the document's quality in the reply.

Please note in accordance with Section 21 of the FOIA, Lake Asphalt may refuse to grant access to documents if the work involved in the processing of the request would substantially and unreasonably divert the resources of Lake Asphalt from its operations. For example, Lake Asphalt is not required to:

- c. Create new documents by writing a new program so that a computer will print information in the format the applicant prefers, or
- d. Perform extensive research for the applicant.

Additionally, Lake Asphalt cannot be compelled to provide any document listed as exempt under Section 24 of the FOIA; or, after applying the public interest analysis provide any document considered exempt under Sections 33, 34 and 35 of the FOIA. Lake Asphalt must however, use all reasonable efforts under Section 16 of the FOIA to comply with the request by making certain deletions as to make the copy not an exempt document.

Section 7 (1) (a) (vi)

The Designated Officer in Lake Asphalt is responsible for implementation of the FOIA.

The Designated Officer in Lake Asphalt is responsible for:

1. The initial receipt of and action upon notices under Section 10 of the FOIA;
2. The initial receipt of and action upon requests for access to documents under Section 13 of the FOIA;
3. The initial receipt of and action upon applications for corrections of personal information under Section 36 of the FOIA; and
4. Forwarding quarterly returns to the Freedom of Information Unit.

The Designated Officer is the Corporate Secretary:

Corporate Secretary/Legal Officer
Lake Asphalt of Trinidad and Tobago (1978) Limited
Brighton, La Brea
Telephone 1-868-648-7555/6 Ext. 2265

The Alternate Officer is:

Corporate Communications Coordinator
Lake Asphalt of Trinidad and Tobago (1978) Limited
Brighton, La Brea
Telephone 1-868-648-7555/6 Ext. 2260

Section 7 (1) (a) (vii)

Advisory Board, Councils, Committees and other bodies (where meetings/minutes are open to the public)

This section is not applicable at this time.

Section 7 (1) (a) (viii) (a)

Library/ Reading Room Facilities

Lake Asphalt does not at this time maintain Reading Room facilities for public use.

Section 7 (1) (a) (viii) (b)

Publication in the Gazette and daily newspaper bringing up to date the information contained in previous statements.

The last publication for Lake Asphalt was in 2020.

Section 8: Statements

Section 8 (1) (a) (i)

Documents containing interpretation or particulars of written laws or schemes administered by Lake Asphalt not being particulars contained in another written law.

There are no documents of this nature held by Lake Asphalt at this time.

Section 8 (1) (a) (ii)

Manuals, rules of procedure, statements of policy, records of decisions, letter of advice to persons outside Lake Asphalt, documents containing rules, policies, guidelines, practices or precedents.

- Financial Policy Statements;
- Corporate Governance Policies and Procedures;
- Refer above to Section 7(1)(a)(ii) Administrative (8); Financial (2); Marketing (4); and Procurement & Logistics (2);
- Safety Policies and Procedures;
- Employee Handbook; and
- Collective Agreements.

Section 8 (1) (b)

In enforcing written laws or schemes administered by Lake Asphalt where a member of the public might be directly affected

by that enforcement, being documents containing information on the procedures to be employed or the objectives to be pursued in the enforcement of, the written laws or schemes.

Refer above to Section 7 (1) (a) (ii) Procurement and Logistics (2)

Section 9: Statements

Section 9 (1) (a)

A report, or a statement containing the advice or recommendations, of a body or entity established within Lake Asphalt.

- Accident/Incident reports;
- HSE reports and recommendations; and
- Periodic audit reports.

Section 9 (1) (b)

A report or a statement containing advice or recommendation, (1) of a body or entity established outside Lake Asphalt by or under a 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 Lake Asphalt or to the responsible Minister.

The State Enterprises Performance Monitoring Manual.

Section 9 (1) (c)

A report or a statement containing the advice or recommendations, of an interdepartmental Committee whose membership includes an officer of Lake Asphalt.

Reports containing advice and/or recommendations from:

- The Audit Committee
- The Marketing and Strategy Committee
- The Human Resource Committee
- The Tenders Committee
- The Operations Committee

Section 9 (1) (d)

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

- Periodic audit reports
- Periodic financial data reports
- Accident/incident reports

Section 9 (1) (e)

A report (including a report concerning the results of studies, surveys or tests) prepared for Lake Asphalt by a scientific or technical expert, whether employed within Lake Asphalt or not, including a report expressing the opinion of such an expert on scientific or technical matters.

- Certificate of Analysis
- Material Safety Data Sheets
- Product Specification Sheets
- Technical Data Sheets
- Land surveys
- Feasibility studies
- Environmental Impact Assessments

Section 9 (1) (f)

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

- National Center for Asphalt Technology (NCAT) Field and Laboratory Study of Trinidad Lake Asphalt Mixtures
- Consultancy reports
- Financial reports and audits

Section 9 (1) (g)

A report prepared within Lake Asphalt 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.

There are no documents of this nature held by Lake Asphalt at this time.

Section 9 (1) (h)

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

- Audit reports
- Financial reports
- Project status reports

Section 9 (1) (i)

A report containing final plans or proposals for the re-organisation of the functions of Lake Asphalt, the establishment of a new policy, programme or project to be administered by Lake Asphalt, or the alteration of an existing policy, programme or project of Lake Asphalt, whether or not they are subject to the approval of an officer, another public authority, the responsible Minister or Cabinet.

- Budgets
- Strategic Plans
- Business Plans/Proposals

Section 9 (1) (j)

A Statement prepared within Lake Asphalt and containing policy directions for the drafting of legislation.

There are no documents of this nature held by Lake Asphalt at this time.

Section 9 (1) (k)

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

There are no documents of this nature held by Lake Asphalt at this time.

Section 9 (1) (l)

An environmental impact statement prepared within Lake Asphalt.

There are no documents of this nature held by Lake Asphalt at this time.

Section 9 (1) (m)

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

- Actuarial reports
- Valuation reports

Lake Asphalt of Trinidad and Tobago (1978) Limited

