



Joint Select Committee on

FOREIGN AFFAIRS

Second Report
on an
Inquiry into the Status of the CSME
in Trinidad and Tobago
Second Session (2021/2022), Twelfth Parliament



Committee Mandate

The Joint Select Committee on Foreign Affairs is established by Standing Orders 105 and 95 of the House of Representatives and Senate respectively and is mandated to consider and report on:

- (a) *“all matters relating to the foreign policy of the Government (including missions abroad) and examining the implications and likely effect on Trinidad and Tobago;*
- (b) *International treaties and agreements entered into by the Government on behalf of the State and advising the Parliament of their likely impact on Trinidad and Tobago; and*
- (c) *other matters relating to Foreign Affairs as may be referred to it by the House.”*

Committee Membership

Ms. Paula Gopee-Scoon	Chairman
Dr. Maria Dillon- Remy	Vice-Chairman
Mr. Terrence Deyalsingh, MP	Member
Ms. Shamfa Cudjoe, MP	Member
Mr. Rodney Charles, MP	Member
Mr. Brian Manning, MP	Member
Mr. Anil Roberts	Member
Ms. Donna Cox ¹	Member

Secretariat Support

Ms. Sharla Elcock	Secretary
Mr. Marcus Moses	Assistant Secretary
Ms. Katharina Gokool	Graduate Research Assistant
Ms. Terriann Baker	Graduate Research Assistant
Mr. Khaleem Ali	Legal Research Intern

Publication

An electronic copy of this report can be found on the Parliament website using the following link:

<http://www.ttparliament.org/>

Contact Information

All correspondence should be addressed to:

The Secretary
Joint Select Committee on Foreign Affairs
Office of the Parliament
Parliamentary Complex, Cabildo Building,
St. Vincent Street, Port of Spain, Trinidad and Tobago
Tel: (868) 624-7275 Ext 2287 Fax: (868) 625-4672
Email: jscfa@ttparliament.org

Date Presented in HOR:

Date Presented in Senate:

¹ Ms. Donna Cox replaced Mr. Avinash Singh w.e.f. January 12, 2021

MEMBERS OF THE COMMITTEE



Mrs. Paula Gopee-Scoon
Chairman



Dr. Maria Dillon-Remy
Vice-Chairman



Mr. Brian Manning, MP
Member



Mr. Rodney Charles, MP
Member



Mr. Anil Roberts
Member



Ms. Shamfa Cudjoe, MP
Member



Mr. Terrence Deyalsingh, MP
Member



Ms. Donna Cox
Member

TABLE OF CONTENTS


MEMBERS OF THE COMMITTEE	3
ABBREVIATIONS	6
1. EXECUTIVE SUMMARY	7
2. INTRODUCTION	10
<i>Establishment</i>	10
<i>Powers</i>	10
<i>Membership of the Committee</i>	10
<i>Meetings</i>	10
3. BACKGROUND	11
4. EVIDENCE, FINDINGS AND RECOMMENDATIONS	16
FREE MOVEMENT OF SKILLS/LABOUR	16
<i>Findings</i>	18
<i>Recommendations</i>	18
<i>The Progress made by Trinidad and Tobago With Regard to the Free Movement of Skills and Labour</i>	19
<i>Findings</i>	23
<i>Recommendations</i>	23
<i>The factors that can hinder a CARICOM national from working in Trinidad and Tobago</i>	23
<i>Findings</i>	24
<i>Recommendations</i>	24
<i>The Complaints Procedure</i>	25
<i>Findings</i>	26
<i>Recommendations</i>	26
<i>The Challenges to Tracking Persons who have Changed Category of Work</i>	26
<i>Findings</i>	26
<i>Recommendations</i>	26
<i>Multilateral Air Services Agreement (MASA)</i>	26
<i>Findings</i>	28
<i>Recommendations</i>	28
FREE MOVEMENT OF GOODS	29
<i>Findings</i>	31
<i>Recommendations</i>	31
FREE MOVEMENT OF SERVICES	32

<i>Findings</i>	34
<i>Recommendations</i>	34
FREE MOVEMENT OF CAPITAL	35
<i>Findings</i>	35
<i>Recommendations</i>	35
THE RIGHT OF ESTABLISHMENT	36
<i>Findings</i>	38
<i>Recommendations</i>	39
OTHER ISSUES	40
<i>Findings</i>	41
<i>Recommendations</i>	41
APPENDICES	43
APPENDIX I	44
ATTEMPTED MEETINGS OF THE COMMITTEE	44
APPENDIX II	46
ST. ANN'S DECLARATION	46
APPENDIX III	50
ADDITIONAL INFORMATION FROM THE MINISTRY OF NATIONAL SECURITY ON CARICOM NATIONALS SEEKING, DENIED AND ADMITTED ENTRY INTO TRINIDAD AND TOBAGO	50
APPENDIX IV	52
DETAILS ON CARICOM NATIONALS RESIDING IN TRINIDAD AND TOBAGO	52
APPENDIX V	55
BREAKDOWN OF TOTAL NUMBER OF CARICOM NATIONALS SEEKING, ALLOWED AND DENIED ENTRY INTO TRINIDAD AND TOBAGO IN 2018	55
APPENDIX VI	57
INFORMATION FROM THE MINISTRY OF NATIONAL SECURITY ON THE	57
NO. OF CARICOM NATIONALS DENIED ENTRY INTO TRINIDAD AND TOBAGO	57
APPENDIX VII	59
DOCUMENTS REQUIRED BY A CARICOM NATIONAL TO SET-UP A BUSINESS IN TRINIDAD AND TOBAGO	59
APPENDIX VIII	62
APPLICATIONS RECEIVED AND APPROVED FOR CARICOM NATIONALS UNDER THE RIGHT OF ESTABLISHMENT FROM 2006 TO 2017	62
APPENDIX IX	64
APPLICATIONS RECEIVED AND APPROVED FOR CARICOM NATIONALS UNDER THE RIGHT OF ESTABLISHMENT FROM 2006 TO 2018	64


ABBREVIATIONS

CAL	Caribbean Airlines Limited
CARICOM	Caribbean Community and Common Market
CET	Common External Tariff
COFAP	Council for Finance and Planning
COHSOD	Council for Human and Social Development
CoIP	Community of Interest Principle
COTED	Council for Trade and Economic Development
COVID-19	Coronavirus Disease 2019
CPSO	CARCIOM Private Sector Organisation Inc.
CSME	Caribbean Single Market Economy
CVQ	Caribbean Vocational Qualification
GDP	Gross Domestic Product
LRC	Legislation Review Committee
MASA	Multilateral Air Services Agreement
MoFCA	Ministry of Foreign and CARICOM Affairs
MoNS	Ministry of National Security
MOU	Memorandum of Understanding
MoWT	Ministry of Works and Transport
MP	Member of Parliament
MTF	Ministerial Task Force
MTI	Ministry of Trade and Industry
NGOs	Non-governmental Organisations
NHSL	National Helicopter Services Limited
PMSC	Prime Ministerial Sub-Committee
SMEs	Small and Medium-Sized Enterprises
SNCASA	Standing Negotiating Committee on Air Services
TCC	Technical Coordinating Committee
TTCAA	Trinidad and Tobago Civil Aviation Authority
UK	United Kingdom

1. EXECUTIVE SUMMARY

- 1.1. At the Committee's second meeting held on Wednesday December 16, 2020, your Committee agreed to continue its inquiry into *'the status of the CSME in Trinidad and Tobago.'*
- 1.2. The inquiry had a sole objective:
 -  **To evaluate Trinidad and Tobago's status with respect to the:**
 - **Free movement of skills/labour;**
 - **Free movement of goods;**
 - **Free movement of services;**
 - **Free movement of capital; and**
 - **The right of establishment.**




Work of the Joint Select Committee on Foreign Affairs appointed in the 11th Parliament on an inquiry into the status of CSME in Trinidad and Tobago

- 1.3. At its sixteenth meeting held on Wednesday December 05, 2018, the Joint Select Committee on Foreign Affairs appointed in the 11th Parliament agreed to an inquiry into the status of the Caribbean Single Market Economy (CSME) in Trinidad and Tobago.
- 1.4. Further, at its eighteenth meeting held on Wednesday February 06, 2019 the Committee agreed to meet in public with officials of the Ministry of Foreign and CARICOM Affairs (MoFCA) and thereafter with officials of the Ministry of National Security (MNS) and the Ministry of Trade and Industry (MTI).
- 1.5. Evidence was acquired through written submissions from the following stakeholders:
 -  The Ministry of Foreign and CARICOM Affairs;
 -  The Ministry of National Security; and
 -  The Ministry of Trade and Industry.
- 1.6. The Committee acquired oral evidence from the Ministry of Foreign and CARICOM Affairs on April 03, 2019. The Committee also sought oral evidence from the Ministry of Trade and Industry and Ministry of National Security. However, scheduled meetings with these Ministries were all cancelled for reasons outlined in **Appendix I**.
- 1.7. The Committee was unable to complete its deliberations on this inquiry and resolved before the dissolution of the 11th Parliament to present an Interim Report with thirty-five (35) findings for consideration. The Committee was also unable to submit recommendations on this inquiry to the Parliament.
- 1.8. The Interim Report of the Joint Select Committee on Foreign Affairs, presented during the 11th Parliament may be accessed at: <http://www.ttparliament.org/reports/p11-s5-J-20200701-FA-Ri.pdf>

Work of the Joint Select Committee on Foreign Affairs appointed in the 12th Parliament on A continuation of the inquiry into the status of CSME in T&T with specific focus on the implementation of the St Ann's Declaration in Trinidad and Tobago

- 1.9. On June 16, 2021, your Committee sought to hold a virtual public hearing with officials from the Ministry of Foreign and CARICOM Affairs. However, same was unavoidably canceled.

1.10. Your Committee resolved to request written submissions from the following stakeholders:

-  Ministry of Foreign and CARICOM Affairs;
-  Ministry of National Security; and
-  Ministry of Trade and Industry.

1.11. These responses including the work of the previous Committee are compounded into this Report.

1.12. Based on the evidence received the Committee recommends that the Ministry of Foreign and CARICOM Affairs:

- (1) Continue to advance policies and legislation which:**
 - incorporate the Protocol on Contingent rights, specifically the definition of dependants;
 - establish a register which will record information on CSME applicants, their spouses and dependants; and
 - expand the categories of skills for applicants of skills certificates.
- (2) Establish and maintain a database with information on CARICOM nationals who have been denied entry into Trinidad and Tobago including the reasons for being denied, and whether they were holders or dependants of holders of Skills Certificates.**
- (3) Establish a formal data sharing arrangement with the Ministry of National Security, Immigration Division to access information on CARICOM nationals, with CSME Skills Certificates, who have been denied entry into Trinidad and Tobago including the respective reasons for being denied.**
- (4) Implement a follow-up mechanism to:**
 - examine whether holders of Skills Certificate are finding success with attaining jobs; and
 - to record their challenges or complaints.
- (5) Collaborate with the business sector on a study to determine the major benefits and challenges associated with full implementation of CSME in Trinidad and Tobago.**
- (6) Provide continuous training to keep Immigration Officers updated with advancements with regard to the CSME.**
- (7) Follow-up with Trinidad and Tobago nationals, who are holders of Skills Certificate and have been denied entry into another CARICOM Member State, and establish a database to record same.**
- (8) Establish a complaints desk at the main ports of entry to assist CARICOM Nationals with CSME Skills Certificates who have been denied entry into Trinidad and Tobago.**
- (9) Utilise the complaints desk at recommendation (8) to record information on the number of CARICOM nationals with CSME Skills Certificates who have been denied entry into Trinidad and Tobago and the respective reasons for being denied entry.**
- (10) Implement a register of holders of CSME Skills Certificates including any changes to their category of work.**
- (11) Liaise with the Ministry of Works and Transport regarding the status of the Single Transport Space for Community Nationals.**
- (12) Monitor the progress of the implementation of the national procurement regime.**
- (13) Collaborate with the Ministry of Trade and Industry to discuss formalising representation from the Ministry of Foreign and CARICOM Affairs on the Technical Coordination Committee and its sub-committees.**

- (14) Strategise with the Ministry of Trade and Industry to promote the benefits of the free movement of capital to citizens.
- (15) Monitor the release of CARICOM's Model legislation for mutual recognition of companies.
- (16) Collaborate with the Ministry of Trade and Industry to conduct an assessment to evaluate the Right of Establishment in Trinidad and Tobago and Member States.
- (17) Collaborate with the Ministry of Trade and Industry and the CARICOM Secretariat to establish a database to record Trinidad and Tobago nationals seeking to establish businesses in CARICOM Member States.
- (18) Resume engagement activities with communities, secondary and tertiary level institutions and make good use of the opportunities to present information on the importance of the CSME at public service week, job fairs and other expositions via online platforms.
- (19) Utilise its website, and social media platforms such as Facebook and Twitter to provide information on the importance of the CSME.
- (20) Record information on participants involved in its engagement activities.

2. INTRODUCTION

Establishment

- 2.1 The Joint Select Committee on Foreign Affairs was established by resolutions of the House of Representatives and the Senate on Monday November 09, 2020 and Tuesday November 17, 2020 respectively.

Powers

- 2.2 Standing Orders 111 and 101 of the House of Representatives and Senate respectively, empower the Committee to:
- (a) send for persons, papers and records;
 - (b) sit notwithstanding any adjournment of the House;
 - (c) adjourn from place to place;
 - (d) report from time to time;
 - (e) appoint specialist advisers either to supply information which is not otherwise readily available, or to elucidate matters of complexity within the Committee's order of reference;
 - (f) communicate with any other Committee on matters of common interest; and
 - (g) meet concurrently with any other Committee for the purpose of deliberating, taking evidence or considering draft reports.

Membership of the Committee

- 2.3 By motions approved in the House of Representatives and Senate on Monday November 09, 2020 and Tuesday November 17, 2020, respectively and in the Senate on January 12, 2021 the following persons were appointed to serve on the Committee:

Mrs. Paula Gopee-Scoon	-	Chairman
Dr. Maria Dillon-Remy	-	Vice Chairman
Mr. Brian Manning, MP	-	Member
Ms. Shamfa Cudjoe, MP	-	Member
Mr. Rodney Charles, MP	-	Member
Mr. Terrence Deyalsingh, MP	-	Member
Ms. Donna Cox	-	Member
Mr. Anil Roberts	-	Member


Meetings

- 2.4 At its second meeting, the Committee agreed to meet on the third Wednesday of each month at 1:30 p.m. The Committee has held seven (7) meetings to date.

3. BACKGROUND

- 3.1 The Caribbean Single Market Economy (CSME) is an arrangement among CARICOM Member States for the creation of a single enlarged economic space through the free movement of goods, services, persons, capital and technology. It also confers upon CARICOM nationals the right to establish a business in any participating CARICOM Member State². The Revised Treaty of Chaguaramas laid the groundwork for the CSME and was signed by Antigua and Barbuda, Barbados, Belize, Dominica, Grenada, Guyana, Jamaica, St. Kitts and Nevis, St. Lucia, St. Vincent and the Grenadines, Suriname, and Trinidad and Tobago on July 05, 2001.³
- 3.2 The CSME was established on January 01, 2006 among the following Member States: Barbados, Belize, Guyana, Jamaica, Suriname and Trinidad and Tobago.⁴ Antigua and Barbuda, Dominica, Grenada, St. Kitts and Nevis, St. Lucia, and St. Vincent and the Grenadines signed on later. The Single Market comprises five (5) regimes:
- (i) Free movement of skills/labour;
 - (ii) Free movement of goods;
 - (iii) Free movement of services;
 - (iv) Free movement of capital; and
 - (v) The right of establishment.⁵
- 3.3 The key aspects of the CSME⁶ are:
- (i) Consumer Affairs;
 - (ii) Competition Policy;
 - (iii) Social Security;
 - (iv) Contingent Rights;
 - (v) Immigration Arrangements for Free Movement of Persons;
 - (vi) Administrative Arrangements for Commercial Establishment;
 - (vii) Government Procurement; and
 - (viii) Trade and Competitiveness in CARICOM.

St. Ann's Declaration on CSME

- 3.4 At the Eighteenth (18th) Special Meeting of the Conference of Heads of Government of CARICOM held on December 3-4, 2018 at Port of Spain, Trinidad and Tobago, CARICOM leaders reflected on the 1989 Declaration of Grand Anse and committed to accelerating the implementation of the CSME.
- 3.5 Trinidad and Tobago signed the following CARICOM Instruments:
-  CARICOM Arrest Warrant Treaty (CAWT),

² Ministry of Foreign and CARICOM Affairs. "CSME." Accessed on December 17, 2018.

<https://foreign.gov.tt/services/csme/>

³ <http://www.theintegrationistcaribbean.org/economic-integration/the-revised-treaty-of-chaguaramas/>

⁴ CARICOM Caribbean Community. Our Journey. Accessed on December 20, 2018.

<https://caricom.org/community/history#paginate-15>

⁵ Ibid.

⁶ CARICOM. "Definition of CSME." Accessed on December 17, 2018. <http://www.csmeonline.org/news/about-the-csme>.

- 🏰 Protocol on Contingent Rights and the accompanying Declaration of Intent to Provisionally Apply the Protocol, and
- 🏰 The St. Ann's Declaration.

CARICOM Arrest Warrant Treaty (CAWT)

3.6 The CARICOM Arrest Warrant Treaty (CAWT) establishes a system of arrest and surrender of requested persons within CARICOM for the purposes of:

- 🏰 conducting a criminal prosecution for an applicable offence; or
- 🏰 executing a custodial sentence where the requested persons have fled from justice after being sentenced for an applicable offence.

3.7 Trinidad and Tobago will be required to ratify the CAWT.

Protocol on Contingent Rights and the accompanying Declaration of Intent to Provisionally Apply the Protocol

3.8 The Protocol on Contingent Rights establishes the benefits of holders of CARICOM Skills Certificates as well as their spouses and dependants within CSME participating Member States.

3.9 Trinidad and Tobago will be required to ratify the Protocol on Contingent Rights.

3.10 The St. Ann's Declaration, at **Appendix II**, was issued at the conclusion of the Eighteenth (18th) Special Meeting of the Conference of Heads of Government of CARICOM. Table 1 below outlines Trinidad and Tobago's key commitments emanating from St. Ann's Declaration conference:

Table 1
T&T's Key Commitments in the St. Ann's Declaration

CSME Category	Overall Commitment of Member States	Trinidad and Tobago's Key Commitment	Status of T&T's Key Commitment
Free Movement of Persons	Move towards full free movement by 2021 for those Member States so willing.	Once this decision is ratified by the Conference of Heads, Trinidad and Tobago would be required to undertake a comprehensive review of the relevant legislative and administrative frameworks governing the entry and stay of CARICOM nationals as well as benefits to be accorded to them.	
Free Movement of Skilled Community Nationals	<ul style="list-style-type: none"> Include Agricultural Workers, Beauty Service Practitioners, Barbers and Security Guards to the agreed categories of skilled CARICOM nationals who are entitled to 	Trinidad and Tobago would be required to amend existing legislation, the Immigration (Caribbean Community Skilled Nationals) Act by the stipulated time-frames to include, <i>inter alia</i> :	Trinidad and Tobago introduced the Immigration (Caribbean Community Skilled Nationals) (Amendment) Bill, 2022. The Bill seeks to amend the Immigration (Caribbean

	<p>move freely and seek employment within the Community;</p> <ul style="list-style-type: none"> • Reiterate that a Skills Certificate issued by one Member State would be recognised by all Member States; and • Complete legislative and other arrangements in all Member States for all categories within the framework of the Free Movement of Skilled Persons. 	<ul style="list-style-type: none"> • the expanded categories of skilled CARICOM nationals; • the recognition of Skills Certificates issued by other CARICOM Member States; and • the authorisation of the benefits to be extended to spouses and dependants of Skills Certificate holders as outlined in the Protocol on Contingent Rights. 	<p>Community Skilled Nationals) Act, Chap. 18:03 (hereinafter referred to as “the Act”) to, among other things, expand the categories of skilled nationals from other qualifying Caribbean Community States to enter Trinidad and Tobago under the CARICOM Single Market and Economy regime. The Bill passed in the Senate on March 15, 2022 and in the House of Representatives on June 3, 2022.</p>
Single Transport Space for Community Nationals	<ul style="list-style-type: none"> • Examine the re-introduction of the single domestic space for passengers in the Region; • Work towards having a single security check for direct transit passengers on multi-stop intra-Community flights; and • Conduct a special session on Air and Maritime Transportation at the Intersessional Meeting of the Conference in February 2019 to focus on this critical aspect of integration, in particular recommendations on a single aviation authority, the introduction of a single/combined low airport tax and security fee on intra-regional travel. 	<p>Trinidad and Tobago would be required:</p> <ul style="list-style-type: none"> • to sign and ratify the Multilateral Air Services Agreement (MASA) • to conduct consultations by the line Ministry for the development of national policy positions for deliberations at the regional level; • to allocate adequate resources for the regional security apparatus; • to ensure effective preparation for and representation at the special session on Air and Maritime Transportation at the Inter-sessional Meeting of Heads to be held in St. Kitts and Nevis in February 2019 and related meetings. 	<p>Trinidad and Tobago is now party to CARICOM’s Multilateral Air Services Agreement⁷. Trinidad and Tobago signed the agreement on Wednesday February 27, 2019.</p>

⁷ Office of the Prime Minister Republic of Trinidad and Tobago February 27, 2019 “Trinidad and Tobago is now signed on to CARICOM’s Multilateral Air Services Agreement” <https://www.opm.gov.tt/trinidad-and-tobago-is-now-signed-on-to-caricoms-multilateral-air-services-agreement/>

Mutual recognition of companies incorporated in a CARICOM Member State	Allow for the mutual recognition of companies incorporated in a CARICOM Member State.	Trinidad and Tobago would be required: <ul style="list-style-type: none"> to conduct stakeholder consultations⁸ for the purpose of considering the existing CARICOM model legislation and formulating comments; and To transmit stakeholder comments to the CARICOM Secretariat for circulation to other Member States and discussion within the relevant Organs at the regional level. 	The CARICOM Secretariat intends to award a service contract for the Provision of Consultancy Services to Provide Assistance to Member States to Harmonise Companies and Insolvency Laws and Instruments for the Mutual Recognition of Companies. The contract will be implemented in Member States (subject to COVID-19 restrictions) with an operational base in Georgetown, Guyana, with financial assistance from 11 th European Development Fund. ⁹
Introduction of a Regime of Sanctions	Community Council of Ministers to elaborate recommendations for the introduction of a regime of sanctions for the consideration of the Conference (scheduled in St Kitts and Nevis from February 26 to 27, 2019)	Trinidad and Tobago will be required to develop and agree on a national position with respect to the introduction of a regime of sanctions aimed at the effective settlement of disputes.	
Consultation Mechanisms for Decision-making including engaging the Private Sector and Labour	Establish a structured mechanism to engender participation by the Private Sector and Labour in the work of the CSME and to amend the Revised Treaty of Chaguaramas in order to institutionalise this approach.	Trinidad and Tobago will be required to participate in deliberations of the relevant Organs when they are convened to address this issue.	CARICOM Private Sector Organisation and Caribbean Community signed a MOU ¹⁰ to cooperate on the full implementation of the CSME on Thursday December 03, 2020. ¹¹
Finalisation of the Public Procurement regime	Regional Public procurement regime would be finalised by 2019.	Relevant stakeholders will be required to participate in the meetings of the relevant Organs convened for the purpose of finalising the Public Procurement regime.	

⁸ This will involve the Ministry of the Attorney General and Legal Affairs particularly the Registrar of Companies.

⁹ <https://caricom.org/procurement/consultancy-to-provide-assistance-to-member-states-to-harmonise-companies-and-insolvency-laws-and-instruments-for-the-mutual-recognition-of-companies/>

¹⁰ Memorandum of Understanding

¹¹ <https://caricom.org/caricom-private-sector-organisation-and-caribbean-community-sign-mou-to-support-regional-growth-and-development/>

- 3.11 The Thirty-Second Intersessional Meeting of the Conference of Heads of Government of the Caribbean Community (CARICOM) was held virtually on February 24-25, 2021, with Dr. the Honourable Keith Rowley, Prime Minister of the Republic of Trinidad and Tobago, as Chair. Heads of Government reaffirmed the critical role of the CSME in the region's strategy for sustained economic growth, as well as in building economic resilience to withstand both external and internal shocks to the Community, particularly in the face of the debilitating impact of COVID-19.¹²
- 3.12 In light of the foregoing and the Committee's mandate, it was agreed that the importance of this issue should be probed and this inquiry continued.

¹² Communique – Issued at The Conclusion of the Thirty-Second Inter-Sessional Meeting of the Conference of Heads of Government of the Caribbean Community <https://caricom.org/communique-issued-at-the-conclusion-of-the-thirty-second-inter-sessional-meeting-of-the-conference-of-heads-of-government-of-the-caribbean-community/>

4. EVIDENCE, FINDINGS AND RECOMMENDATIONS

- 4.1. The following is a synopsis of the issues, which arose from the evidence submitted to your Committee.

FREE MOVEMENT OF SKILLS/LABOUR

New Categories of Workers

- 4.2. The St. Ann's Declaration stated that the following four (4) additional categories were entitled to free movement within the Community:
- (i) Agricultural Workers;
 - (ii) Beauty Service Practitioners;
 - (iii) Barbers; and
 - (iv) Security Guards.
- 4.3. As it pertains to the following expanded five (5) categories of workers, the Committee was informed that administrative arrangements are being made to allow such workers to work by recognising the Skills Certificates of Member States:
- (i) non-graduate teachers;
 - (ii) non-graduate nurses;
 - (iii) artisans with a CVQ;
 - (iv) holders of Associate Degrees; and
 - (v) household domestics with a CVQ or an equivalent qualification.
- 4.4. On June 14, 2021, a Note was taken to Cabinet by the Minister of Foreign and CARICOM Affairs regarding the expansion of the categories eligible for free movement and the amendment of the Immigration (Caribbean Community Skilled Nationals) Act, Chap 18.03 (the Immigration Act).
- 4.5. The Cabinet agreed to amend the legislation to include the free movement of Agricultural workers and Security Guards on approval by the Council for Human and Social Development (COHSOD) of the definitions of the two (2) categories.
- 4.6. Currently, non-nationals wishing to work in the aforementioned categories are required to apply for a work permit exemption, as Trinidad and Tobago is yet to issue Skills Certificates in the two (2) categories.
- 4.7. The Cabinet also agreed to expand the list from the original five (5) categories to ten (10) categories to include the expanded five (5) categories:

Original five (5) Categories:

- (i) University Graduates;
- (ii) Artistes;
- (iii) Musicians;
- (iv) Media Workers; and
- (v) Sportspersons.

Expanded five (5) Categories:

- (vi) Teachers;
- (vii) Nurses;
- (viii) Artisans with a CVQ;
- (ix) holders of Associate Degrees; and
- (x) household domestics with a CVQ or an equivalent qualification.

- 4.8. Currently, a non-national in the original five (5) categories may enter and work in Trinidad and Tobago with a Skills Certificate issued by a Member State. The Immigration Division issues non-nationals with a stamp allowing employment. However, the non-national is required to seek an extension on expiration of the stamp by providing proof that they are employed in the sector for which they are qualified.

Legislative Amendments - the Immigration (Caribbean Community Skilled Nationals) (Amendment) Bill, 2022

- 4.9. The Immigration (Caribbean Community Skilled Nationals) (Amendment) Bill, 2022, was passed in the Senate on March 15, 2022 and in the House of Representatives on June 3, 2022. Notwithstanding, until the Legislation is proclaimed, Trinidad and Tobago is unable to issue Skills Certificates in the five (5) expanded categories.

The Protocol on Contingent Rights

- 4.10. According to the MTI, the Protocol on Contingent Rights is a supportive mechanism to the primary rights of CARICOM nationals. Contingent Rights are the rights to which a national, his spouse and immediate dependants are entitled contingent upon or linked to the exercise of the right of establishment, provision of services, movement of capital or free movement of skills.
- 4.11. Article II of the Protocol requires Member States to grant to the principal beneficiary:
- i. the right to transfer capital;
 - ii. the right to leave and re-enter the host country;
 - iii. the right to work in the host country without a work permit;
 - iv. the right to access property for residential or business purposes;
 - v. the right to access primary education for dependent children on a non-discriminatory basis;
 - and
 - vi. the right to import duty-free tools of trade within six (6) months of grant of stay.
- 4.12. The Immigration (Caribbean Community Skilled Nationals) Act Chapter 18:03 currently defines a 'dependent member of the family' as:
- "(a) a child or step child under the age of 18 years;*
 - (b) a child over the age of 18 years and wholly dependent on the (skilled) person for his subsistence; or*
 - (c) a parent or grandparent wholly dependent on the (skilled) person for their subsistence."*
- 4.13. The Protocol expands this definition to include a child under the age of twenty-five (25) who is attending school or university full time and any other natural person who is certified by order of the Court as a dependent. This expanded definition has been include in clause 4 of the Immigration (Caribbean Community Skilled Nationals) (Amendment) Bill, 2022.
- 4.14. The CARICOM Secretariat conducted a substantive study on the impact of Free Movement on regional integration in 2011, which informed the decisions taken at the level of Heads of Government regarding the Free Movement Regime. A copy of the report of this study can be accessed at: <https://caricom.org/documents/9774-irregionalintegrationreportfinal.pdf>.

The Challenges with achieving full implementation of the CSME

- 4.15. The MoFCA indicated that getting all countries to complete their legislative commitments in a timely manner continues to be an impediment to achieving the free movement of person and full implementation of the CSME.

Findings

1. The amendments proposed by the Immigration (Caribbean Community Skilled Nationals) (Amendment) Bill, 2022, would expand the categories of workers and allow the benefits established in the Protocol on Contingent Rights to be extended to the spouses and dependants of holders of Skills Certificates.

Recommendations

- 4.16. The Committee recommends that the Ministry
 - (1) continue to advance policies and legislation which:**
 - incorporate the Protocol on Contingent rights, specifically the definition of dependants;
 - establish a register which will record information on CSME applicants, their spouses and dependants; and
 - expand the categories of skills for applicants of with CSME Skills Certificates.





The Progress made by Trinidad and Tobago With Regard to the Free Movement of Skills and Labour.

The gains made by Trinidad and Tobago from the Free Movement of Skills and Labour

4.17. Evidence tendered by the MoFCA indicated that Trinidad and Tobago has benefitted with the free movement of skills and labour. Citizens have access to greater employment opportunities under the CSME and are able to provide services throughout the region. There has also been an expansion of the current pool of labour in Trinidad and Tobago.

The Impact of the COVID-19 Pandemic on the Achievement of Free Movement

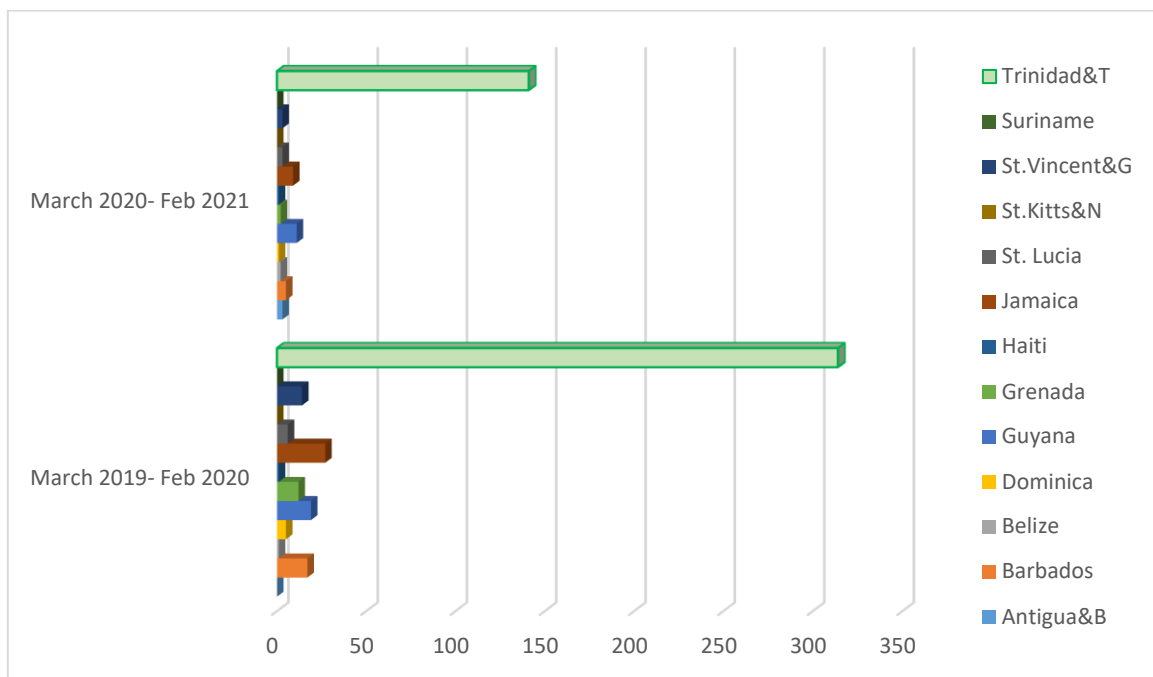
4.18. Some commitments espoused within the St. Ann's Declaration were *inter alia*:

-  the recommitment to the recognition of skills certificate from other Member States;
-  the commitment for legislative and other arrangements and timeframes for achieving the same;
-  a commitment to finalising the regime that permits citizens and companies to participate in procurement processes by the end of 2019; and
-  the mutual recognition of companies.

4.19. There was also a commitment to have full free movement within three (3) years.

4.20. In the 12th Parliament your Committee sought to determine how the COVID-19 pandemic impacted the achievement of this commitment and was informed that the CSME Unit of the MoFCA observed a reduction by approximately fifty percent (50%) in the number of applications for skills certificates for a comparable period. The data for the period March 2019- February 2020, and March 2020- February 2021 were 416 and 208 respectively as outlined in Table 2:

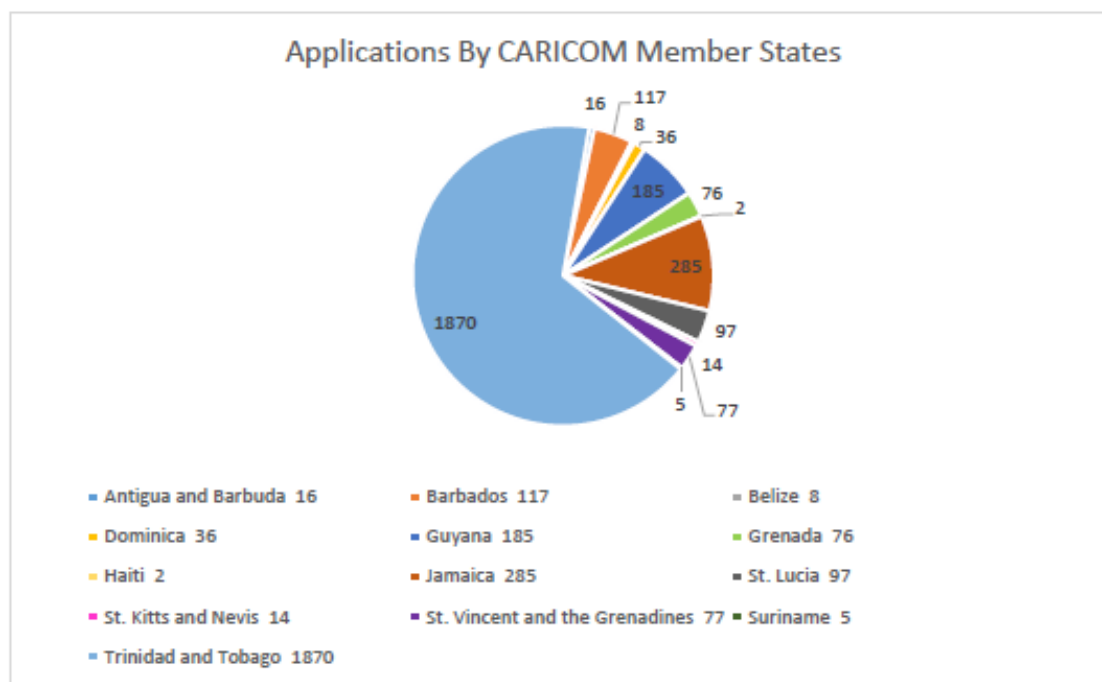
Table 2 – Applications for Skills Certificates



4.21. Your Committee was further informed that the flow of persons into Trinidad and Tobago had significantly reduced as a result of the closure of borders. However, the CSME Unit noted a rise in applications in the petro-chemical sector. Further, due to the easing of border restrictions there has

also been an increase in cross-border movement for employment, through the Free Movement Regime.

- 4.22. The MTI submitted the following information, as provided by MoFCA, with regard to Skills Certificates granted under the Free Movement of CARICOM Nationals regime over the period January 2016 to August 2021:



- 4.23. The highest number of Applications for Skills Certificates over the stated period were from Trinidad and Tobago nationals.

The Level of Success of Trinidadians and Tobagonians Finding Employment in Other CARICOM Countries

- 4.24. The MoFCA was unable to determine how successful Trinidad and Tobago nationals have been in terms of attaining jobs. However, the MoFCA indicated that a large number of nationals come to the MoFCA seeking a Skills Certificate which suggests that there may be some level of success for nationals.

Skills Certificates Issued by Trinidad and Tobago

- 4.25. The MoFCA indicated that the timeframe for processing an application for a Skills Certificate is approximately six (6) weeks.¹³

¹³ The MoFCA has initiated the digitalisation of its CSME application processes. This digitisation will allow for data capturing, including that of nationals seeking to establish businesses in CARICOM Member States. Further, The CARICOM Application Processing System (CAPS) is a fully integrated web-based information management system which will facilitate the movement of skilled persons, temporary service providers and business persons across the twelve (12) participating Member States, by efficiently processing a significant number of documents which fall under the following processes:

- Application for a Skilled National Certificate
- Verification of Skilled National Certificate
- Change of Skilled National Certificate
- Application for Service Provider Certificate
- Change of Service Provider Certificate
- Movement under the Right of Establishment

The CSME Unit of the MoFCA has the remit of operationalizing the CARICOM Application Processing System (CAPS). Currently, The CSME Unit does not utilize the CAPS system. The CSME Unit raised unresolved concerns regarding data protection with the CARICOM Secretariat and are working towards utilisation of the system.

- 4.26. As at April 3, 2019, approximately 4,000 Skills Certificates were issued since the operationalisation of the CSME in Trinidad and Tobago. Additionally, the majority of Skills Certificates being applied for and issued to Trinidad and Tobago nationals for the years 2006 to 2018 were comprised mainly of University Graduates. The majority of CARICOM nationals applying for Skills Certificates for entry into Trinidad and Tobago are University Graduates mainly from Jamaica and Guyana.
- 4.27. Your Committee requested updated information from the MoFCA on the total number of Skills Certificates received from and issued to Trinidad and Tobago nationals between 2018 to September 2021 and was informed that a total of eight hundred and forty-nine (849) were issued.

The Complaints by Trinidadians and Tobagonians as it pertains to Seeking Employment in CARICOM Member States

- 4.28. The MoFCA was unaware of any complaints of persons finding jobs or finding difficulty with seeking employment in CARICOM Member States.




The Challenges by nationals of Trinidad and Tobago to enter CARICOM Member States



- 4.29. The MoFCA submitted that Trinidad and Tobago nationals have encountered challenges when seeking entry into other CARICOM States. As at January 2019, the MoFCA informed the Committee that there were five (5) cases where Trinidad and Tobago nationals were denied entry into CARICOM Member States.

The Success of CARICOM Nationals Entering Trinidad and Tobago

- 4.30. According to the MoFCA, CARICOM nationals have been successful in entering Trinidad and Tobago. The MoFCA submitted information received from the Ministry of National Security (MoNS), indicating that the number of CARICOM nationals allowed entry into Trinidad and Tobago in 2018 was 120,055.
- 4.31. Your Committee requested supplemental information on the total number of CARICOM Nationals seeking and allowed entry into Trinidad and Tobago. According to the MoFCA, for the year 2019, of 125,641 CARICOM nationals seeking entry, 124,595 were allowed entry into Trinidad and Tobago. The MoNS submitted information on same at **Appendix III**.
- 4.32. Your Committee sought updated information on the total number of Skills Certificates issued to CARICOM nationals between 2018 to September 2021 and was subsequently informed that the total amounts to 1,173 Skills Certificates.
- 4.33. Five (5) persons have been denied Skills Certificates for the year 2018

Data on CARICOM Nationals in Trinidad and Tobago

- 4.34. The MTI submitted that it does not keep data on CARICOM Nationals employed in Trinidad and Tobago. This information is monitored by the MoFCA.
- 4.35. Additionally, the MoNS was unable to provide the number of CARICOM nationals residing in Trinidad and Tobago as at January 31, 2019, however, **Appendix IV** provides data on:
-  the number of CARICOM nationals granted permanent residency between 2007 and January 31, 2019;
 -  the number of CARICOM nationals arriving and departing from Trinidad and Tobago between 2016 to 2018;
 -  the number of CARICOM nationals denied entry into Trinidad and Tobago from 2007 to 2018;

-  the number of CARICOM nationals that sought, were allowed and denied entry to Trinidad and Tobago in 2018 and the purpose of their visit; and (**Appendix V**)
-  the number of CARICOM nationals denied entry into Trinidad and Tobago in 2018.

The Number of CARICOM Nationals who have been Denied Entry into Trinidad and Tobago

- 4.36. The MoNS submitted that nine hundred and twenty-three (923) persons were denied entry into Trinidad and Tobago in 2018 and 1,046 CARICOM Nationals were denied entry to Trinidad and Tobago in 2019. The comprehensive table outlining the number of CARICOM Nationals denied entry into Trinidad and Tobago for the years 2010 to 2021 is at **Appendix VI**.
- 4.37. The MoFCA also indicated that information on refusal of entry is available from the MoNS, which can be shared with the MoFCA upon its request.
- 4.38. Emanating out of the discussions, was the requirement for a record of CARICOM nationals who have been denied entry and the corresponding reason for denial of entry, to assist in gauging the success of the CSME.

CARICOM Nationals provided with Resident Status

- 4.39. Your Committee requested updated information on the number of CARICOM nationals provided with resident status in the years February 2019 to 2021. The MoNS provided the following information in Table 3:

**Number of CARICOM Nationals Provided with Resident Status
from Calendar 2019 to August 2021**

No.	CARICOM Country	2019	2020	2021
1.	Antigua and Barbuda	-	-	3
2.	Bahamas	-	-	-
3.	Barbados	-	2	4
4.	Belize	-	1	-
5.	Dominica	-	2	3
6.	Grenada	3	20	10
7.	Guyana	21	191	109
8.	Haiti	1	-	1
9.	Jamaica	7	50	49
10.	Montserrat	-	-	-
11.	St. Kitts & Nevis	-	-	1
12.	St. Lucia	-	8	4
13.	St. Vincent & the Grenadines	2	10	7
14.	Suriname	-	1	2
	TOTALS	34	285	193

The Absence of a Study – Full Implementation of CSME

- 4.40. The MoFCA admitted that the information presented to the Committee on the progress made with regard to the CSME was not based on a comprehensive study. Further, a comprehensive study on the CSME would require the involvement of employers of CARICOM nationals under the CSME within the private sector, via the Chambers of Commerce or any other business association, and within the public sector, via Government agencies.

Findings





1. The COVID-19 pandemic and ensuing border restrictions have resulted in a 50% decrease in the number of applications for Skills Certificates being received by the MoFCA and significantly reduced the flow of persons into Trinidad and Tobago.
2. There has been an increase in the number of applications in the petro-chemical sector.
3. The majority of applications for Skills Certificates within the region are from Trinidad and Tobago nationals.
4. There is a lack of data to determine:
 - (i) how successful Trinidad and Tobago nationals have been in terms of the attaining jobs in CARICOM Member States; and
 - (ii) how successful CARICOM nationals have been in attaining jobs in Trinidad and Tobago.
5. The majority of CARICOM nationals applying for Skills Certificates for entry into Trinidad and Tobago, and the majority of Trinidad and Tobago nationals applying for and being issued Skills Certificates were University Graduates.



Recommendations












- 4.41. The Committee therefore recommends that the Ministry of Foreign and CARICOM Affairs:
- (2) **Establish and maintain a database with information on CARICOM nationals who have been denied entry into Trinidad and Tobago including the reasons for being denied, and whether they were holders or dependants of holders of Skills Certificates.**
 - (3) **Establish a formal data sharing arrangement with the Ministry of National Security, Immigration Division to access information on CARICOM nationals, with CSME Skills Certificates, who have been denied entry into Trinidad and Tobago including the respective reasons for being denied.**
 - (4) **Implement a follow-up mechanism to:**
 - examine whether holders of Skills Certificate are finding success with attaining jobs; and
 - to record their challenges or complaints.
 - (5) **Collaborate with the business sector on a study to determine the major benefits and challenges associated with full implementation of CSME in Trinidad and Tobago.**

The factors that can hinder a CARICOM national from working in Trinidad and Tobago

Factors that determine whether a CARICOM National can work in Trinidad and Tobago

- 4.42. The ability of CARICOM nationals to engage in employment in Trinidad and Tobago is governed by separate processes as outlined in the Immigration (Caribbean Community Skilled Nationals) Act Chapter 18:03. Additionally, the MoFCA submitted that the ability of a CARICOM national, to live and work in Trinidad and Tobago is influenced by, *inter alia*, the following:
-  Level of skill/ qualifications;
 -  Immigration status;
 -  Area of work; and
 -  Whether the individual has a criminal record (custodial sentences of one (1) year and over).
- 4.43. According to the MoNS, all CARICOM nationals seeking entry to Trinidad and Tobago must satisfy entry requirements. The MoNS ascertains whether a CARICOM national seeking entry via a Skills Certificate has a criminal record and a report is forwarded to the MoFCA accordingly. The MoNS also indicated that a CARICOM national can be prohibited from working in Trinidad and Tobago:

-  if the CARICOM national falls within the Prohibited Class of Persons as outlined in Section 8 of the Immigration Act, Chapter 18:01; and
-  if the CARICOM national was ordered deported and the Deportation Order remains in effect.

- 4.44. According to the MoFCA, a person can be prevented from working under the CSME if:
-  the documentation is not properly prepared;
 -  there is missing documentation such as the absence of a Skills Certificate or work permit; or
 -  the person lacks the requisite qualifications or skills which would enable the applicant to acquire a Skills Certificate.
- 4.45. The MoNS stated that Immigration Officers are trained on the requirements and the requisite documentation of CARICOM nationals entering Trinidad and Tobago for the purpose of work as well as the specific administrative procedures to treat with CSME requirements. Specifically, CSME training received by Immigration Officers include the following:
-  Objectives of the CSME;
 -  History of CARICOM;
 -  CSME Member States;
 -  Elements of the CARICOM Single Market;
 -  Five Regimes of the CSME - Rights of Establishment;
 -  Temporary Movement of Service Providers;
 -  Facilitation of Travel; and
 -  Benefits of CSME.
- 4.46. Additionally, Immigration Officers are already trained to identify security features of documents presented upon entry. The identification of fraudulent documents continues to be a part of the Division's ongoing training.

Length of Stay afforded to CARICOM Visitors

- 4.47. CARICOM nationals who are holders of a Skills Certificate from the CSME Unit, MoFCA, are advised to go to the Immigration Division to be granted an indefinite entry stamp. All CARICOM nationals who satisfy the requirements for entry as outlined in the Immigration Act, Chapter 18:01 are granted an entry certificate and indefinite stay (validity of Passport) which is valid for six (6) months.
- 4.48. The same consideration is given for CARICOM nationals seeking to extend their stay in Trinidad and Tobago, that is, the Interviewing Officer must be satisfied with the persons' *bona fides* and must be satisfied that they do not fall within the prohibited class.

Findings

1. Immigration Officers receive training on specific administrative procedures to treat with the CSME and are trained to identify security features on documents presented on entry.

Recommendations

- 4.49. The Committee therefore recommends that the Ministry:
- (6) Provide continuous training to keep Immigration Officers updated with advancements with regard to the CSME.**

The Complaints Procedure

Complaints Procedure for CARICOM Nationals who have been Denied Entry

- 4.50. The Committee was informed that there is a CARICOM complaints procedure for skilled CARICOM nationals who have been denied entry into a Member State. Upon denial of entry into a CARICOM Member State, complaint forms are available at the airport as well as at primary ministries with responsibility for CSME matters. Although forms are available at all ports of entry for persons to register their dissatisfaction with any aspect of the services provided, these reports (if any) are submitted to the CSME Unit of the MoFCA for action. In Trinidad and Tobago, forms are available in Trinidad and Tobago at the airport as well as the MoFCA, MTI and MoNS.
- 4.51. Additionally, repatriated persons can access a complaint form online, which can be submitted to any CSME focal point in their respective country or Ministry with responsibility for Foreign Affairs. Thereafter, the CSME's focal point forwards the complaint to the Member State in question and an investigation is undertaken. The complaint is also forwarded to the CARICOM Secretariat.

The Availability of Data on Refusal of Entry

- 4.52. The MoFCA informed the Committee that it is not at the forefront of collecting data on persons who have been refused entry into a CARICOM Member State from Trinidad and Tobago but it has information on CARICOM nationals being denied entry into Trinidad and Tobago under the CSME. However, this information is restricted only to persons who utilise the complaints procedure. In 2018, the MoFCA received two (2) complaints of this nature.

Complaints Received regarding Denial of Entry

- 4.53. Based on supplemental information, the number of MoFCA complaints received on denial of entry of a CARICOM National for the years 2006 to 2018 is outlined in **Table 4**.

Table 4
Number of MoFCA Complaints received on Denial of Entry of a CARICOM National
from 2006 to 2018

Year	Complaints Received
2014	13 nationals of Jamaica
2015	0
2016	13 nationals of Jamaica 2 nationals Guyana
2017	5 nationals of Guyana
2018	2 nationals of Jamaica 2 nationals of Guyana
2019	4 nationals of Guyana 2 nationals of Jamaica

- 4.54. Your Committee probed further into this matter to determine whether there were any negative reports regarding the ill treatment of CARICOM nationals by Immigration Officers within the past ten (10) years. The MoNS responded in the negative.

Findings

1. CARICOM has an established procedure for receiving complaints on denial of entry into a CARICOM Member State.
2. There is need for a mechanism to record CARICOM nationals who have been denied entry and the corresponding reason for the denial of entry in order to gauge the success of the CSME.
3. The information on persons who have been denied entry under the CSME is dependent on persons utilising the complaints procedure.
4. Information on nationals of Trinidad and Tobago who have been refused entry into a CARICOM Member State is not recorded.

Recommendations

4.55. The Committee therefore recommends that the Ministry:

- (7) Follow-up with Trinidad and Tobago nationals, who are holders of Skills Certificate and have been denied entry into another CARICOM Member State, and establish a database to record same.**
- (8) Establish a complaints desk at the main ports of entry to assist CARICOM Nationals with CSME Skills Certificates, who have been denied entry into Trinidad and Tobago.**
- (9) Utilise the complaints desk at recommendation (8) to record information on the number of CARICOM nationals with CSME Skills Certificates, who have been denied entry into Trinidad and Tobago and the respective reasons for being denied entry.**

The Challenges to Tracking Persons who have Changed Category of Work

- 4.56. The Committee was informed that it is difficult to track persons who have changed their work category upon entry to a Member State.
- 4.57. The CSME allows a person to move amongst Member States to seek employment. There is no provision that a person wishing to move, must have an intended place of work or secure a job prior to exercising the right of movement. Although, the MoFCA requests information on the person's intended place of work on the application form, in many cases there is none because the person is moving with the intention of seeking work. Therefore, in most cases, the question remains unanswered.

Findings

1. The MoFCA faces difficulty in tracking persons who have changed their category of work upon entry to a Member State.

Recommendations












4.58. The Committee therefore recommends that the Ministry:

- (10) Implement a register of holders of CSME Skills Certificates including any changes to their category of work.**

Multilateral Air Services Agreement (MASA)

- 4.59. Since the St. Ann's Declaration, the MoFCA has been involved in ongoing consultations on the CARICOM Multilateral Air Services Agreement (MASA). MASA provides a more liberal environment for air carriers of participating States to operate air services within the region. The

Agreement addresses issues such as licensing requirements, insurance, traffic and transit rights, market access, sabotage and safety and security concerns.

- 4.60. The finalisation of the CARICOM MASA is the remit of the Standing Negotiating Committee on Air Services Agreements (SNCASA) that consists of inter-ministerial representation. The SNCASA did not identify any conditions within the existing version of the revised Agreement which hindered Trinidad and Tobago from appending its signature to same. In this respect, the Ministry of Works and Transport (MoWT) sought and obtained the approval of Cabinet on November 16, 2018 for Trinidad and Tobago to append its signature to the Agreement. The Republic of Trinidad and Tobago signed the MASA on February 7, 2019.
- 4.61. According to follow-up information tendered by MoFCA in the 12th Parliament, this Agreement was seen as an important step towards the establishment of a single market for air transport services within the CARICOM Region. As such, the Republic of Trinidad and Tobago ratified the MASA on July 02, 2019. Same was entered into force on August 17, 2020.
- 4.62. MASA has promoted the harmonisation of regional transportation policies and legislation in areas such as minimum standards of security and safety consistent with those prescribed in the International Convention on Aviation (the Chicago Convention) and taxation and charges regimes for air transport.
- 4.63. The Community of Interest Principle (CoIP), which is embedded in the MASA, requires that CARICOM Member States advocate for the inclusion of this principle in third country agreements. The CoIP allows a CARICOM Member State to designate the airline or airlines of any CARICOM Member State to operate air services on its behalf. This is an opportunity for the national airline, Caribbean Airlines Limited (CAL) to become a flagship carrier, through regional and extra-regional partnerships.
- 4.64. In accordance with Article 6 of the MASA, Member States can designate their national air carriers to operate air services. The Republic of Trinidad and Tobago designated the following air carriers to operate air transport services on behalf of the Republic of Trinidad and Tobago in other Member States of the MASA:
1. Caribbean Airlines Limited (CAL); and
 2. National Helicopter Services Limited (NHSL).
- 4.65. Generally, the anticipated benefits of the MASA include:
-  Increased air services;
 -  Reduced freight rates and passenger air fares;
 -  Increased access for Member States;
 -  Improved efficiency and expansion of regional airlines;
 -  Development of the third tier commuter liners/ feeder liners (short haul regional feeder aircraft which carry nineteen (19) or fewer passenger seats);
 -  Expanded inter and intra-island tourism;
 -  Reinforced thinner regional air routes (these are routes which are not heavily travelled but which may require the capacity of a larger aircraft which can make the journey with less refuelling stops);
 -  Maintenance and improvement in safety standards;
 -  Greater use of code sharing and alliances;
 -  Encouragement of investment in island airlines; and
 -  More cargo options for exporters and importers and cost savings for island airlines.

- 4.66. As it pertains to the specific benefits to CAL, your Committee was informed that the designation of CAL under the MASA augurs well for the promotion of the Airline's services in the regional market. The liberal grant of rights and limiting of restrictions to obtain operating authorisations following receipt of designation by Member States would also ease the existing limitations relating to route rights and support CAL's intent to continue with the expansion of its routes into the Eastern and Northern Caribbean.
- 4.67. With regard to the benefits to the CAL, the MASA will facilitate the smooth commencement of CAL's regional operations and expansion into other territories from its established bases.

Single Transport Space for Community Nationals

- 4.68. According to MoFCA, the MoWT has not commenced discussions with external entities on the proposed single aviation authority and the single/combined taxation and fees regime. It should be noted that the Ministry's tentative position, as proffered by the Trinidad and Tobago Civil Aviation Authority (TTCAA) is that the establishment of a Regional Authority is not practicable at this time. Given these considerations and the magnitude of the proposed changes which will require the approval of the Cabinet, the MoWT awaits further guidance before undertaking such consultations.

Findings

1. The MASA will assist in promoting the local airline's services on the regional market.
2. The TTCAA proffered that the establishment of a Regional Authority is not practicable at this time.

Recommendations








- 4.69. The Committee therefore recommends that the Ministry:
- (11) Liaise with the Ministry of Works and Transport regarding the status of the Single Transport Space for Community Nationals.**

FREE MOVEMENT OF GOODS

Impact on Trinidad and Tobago's Economy


- 4.70. According to the MTI, Trinidad and Tobago has benefitted significantly from the Free Movement of Goods Regime. Trinidad and Tobago enjoys a favourable trade balance with CARICOM, due to large amounts of energy exports which accounted for approximately 65% of total exports to CARICOM in 2017 and 2018.
- 4.71. CARICOM was also Trinidad and Tobago's second largest export market in 2018. Among the top export markets in CARICOM are Jamaica, Barbados, Guyana, Suriname and Antigua and Barbuda. The top products exported to these markets were petroleum oils, cement, paper products and poultry products. The top import markets were Barbados, Guyana, Jamaica, Bahamas and Belize. The top products imported from these markets were crude petroleum, lubricating oils, margarine, rice, sugar, biscuits and orange juice.

Regional Procurement Regime



- 4.72. The regional Public Procurement Regime comprises several instruments and pieces of infrastructure as follows:
-  Protocol on Public Procurement;
 -  Draft CARICOM Model Public Procurement Bill;
 -  Standard Operating Procedures and Standard Bidding Documents;
 -  Common Procurement Vocabulary;
 -  National Advertising Portals; and
 -  Permanent Joint Council on Public Procurement.
- 4.73. The Protocol on Public Procurement was opened for signature at the Thirtieth (30th) Meeting of the Conference of Heads of Government, held in St. Kitts and Nevis during February 26 to 27, 2019. At this Meeting, the Protocol on Public Procurement was signed by Barbados and St. Kitts and Nevis.
- 4.74. The Committee was informed by the MTI that Trinidad and Tobago has not signed the Protocol on Public Procurement.¹⁴ Additionally, the MTI also informed the Committee that the Ministry of Finance indicated that:
-  the Public Procurement regime is at a transitory state, moving from the regime under the Central Tenders Board Act Chapter 71:91 (Act 22 of 1961) to that contained in the Public Procurement and Disposal of Public Property Act (Act No. 1 of 2015)¹⁵; and

¹⁴ Over the period September 2020-August 2021, the Office of Procurement Regulation (OPR) has attended several Regional Meetings to to discuss and receive comments on the proposals for rules, procedures, guidelines and norms for administering public procurement in the Community. The OPR has provided comments on the rules and procedures, including the proposals for bonds, guarantees and securities for administering the Community Public Procurement Regime to the Ministry of Foreign and CARICOM Affairs.

¹⁵ Sections 1, 2, 3, 4, 5(1), 8, 9, 10, 11, 12, 13(1)(a), (b), (c), (d), (k), (p) and (r), 13(2), 14(3), 15, 16, 17, 18, 19, 20, 21, 22, 23, 25, 62 and 63 of the Public Procurement and Disposal of Public Property Act (Act No.1 of 2015) have been proclaimed. The Regulations made under the Act were laid in the House of Representatives on July 2, 2021 and in the Senate on December 15, 2021. The Public Procurement and Disposal of Public Property (Ineligibility Proceedings) (No. 2) Regulations, 2021 was approved in the House of Representatives and Senate on January 14, 2022 and February 8, 2022 respectively.

-  in light of that transitory state, Trinidad and Tobago should ensure that the national Procurement regime is fully functional before signing on to the regional regime.



4.75. The MTI analysis of the impact of the Regional Public Procurement Regime on the Public Procurement and Disposal of Public Property Act (Act No. 1 of 2015), has revealed the following:

-  The CARICOM Protocol encourages regional participation in the procurement markets of Member States and the domestic legislation seeks to promote local industry development and local content. As a result, amendments to domestic legislation may be required;
-  The Protocol will be applicable to most Ministries and State Agencies that use public funds to procure goods, services and works. Exclusions are provided for procurement in certain sensitive sectors and for national security purposes. The covered Ministries and State Agencies will be required to improve their technical capacity and processes to meet the obligations of the Protocol, specifically with regard to regional open tendering, publication of invitations to bid, the use of standard bidding documents, the receipt and processing of electronic tenders from other CARICOM Member States, and the overall use of the Community Public Procurement Notice Board. However, a more comprehensive report on the impact of the regional regime on the Public Procurement and Disposal of Public Property Act should be obtained from the Ministry of Finance.

Initiatives Underway to Create an Integrated CSME Public Procurement Regime and Market

4.76. Your Committee requested information on the initiatives underway to create an integrated CSME Public Procurement Regime and Market. The Third Meeting of the Reconvened Task Force gave members of the Task Force the opportunity to consider and approve the recommendations arising out of the regional private sector consultations held on June 29, and July 8, 2021. Subsequently, the recommendations would be submitted to the Council for Trade and Economic Development (COTED) and the Council for Finance and Planning (COFAP) for endorsement. The Third Meeting of the Reconvened Task Force was held on Wednesday August 4, 2021, and continued on Wednesday August 11, 2021. Notably, it was agreed that Member States would review and provide comments on the rules and procedures, including the proposals for bonds, guarantees and securities for administering the Community Public Procurement Regime to the CARICOM Secretariat on or before Tuesday August 31, 2021.

The Impact of Individuals and Firms Bidding for Public Sector Contracts in Participating Member States

- 4.77. Once the CSME public procurement initiative is implemented, individuals and firms will have the opportunity to bid for public sector contracts in all thirteen (13) CSME participating Member States.
- 4.78. The MoFCA indicated that the primary objective of public procurement is to deliver goods and services necessary to accomplish the government's socio-economic goals in an economical and efficient manner. The broad policy objectives include:
-  Increased opportunities for small and medium-sized enterprises (SMEs) by levelling the playing field through open and transparent processes; and
 -  Promotion of innovation and sustainability in the private sectors.

Update on CSME Protocol on Public Procurement Regime

- 4.79. The issue of Public Procurement falls within the remit of the Ministry of Finance. In terms of the status of the regional regime, the MoFCA advised that the Protocol on Public Procurement has been signed by four CARICOM Member States namely Antigua and Barbuda, Barbados, Dominica and St. Vincent and the Grenadines.

Findings

1. Trinidad and Tobago has benefitted significantly from the Free Movement of Goods.
2. The Public Procurement regime is at a transitory state, moving from the regime under the Central Tenders Board Act (Act 22 of 1961) to that contained in the Public Procurement and Disposal of Public Property Act (Act No. 1 of 2015).
3. The Ministry of Finance advised that Trinidad and Tobago should ensure that the national Procurement regime is fully functional before signing on to the regional regime.

Recommendations









- 4.80. The Committee therefore recommends that the Ministry:
- (12) Monitor the progress of the implementation of the national procurement regime.**

FREE MOVEMENT OF SERVICES








Strategies to encourage freedom of movement

- 4.81. The Committee was informed that the MTI developed a national services policy and a trade policy and strategy (2019-2023) titled The [Trinidad and Tobago Trade Policy \(2019-2023\)](https://tradeind.gov.tt/wp-content/uploads/2019/09/Trade-Policy-2019-2023.pdf)¹⁶.
- 4.82. The Trinidad and Tobago Trade Policy (2019-2023) includes recommendations for improving the business environment, strengthening national data collection and management systems and improving domestic regulation in the services sector. These initiatives whilst focusing on the domestic sector will encourage CARICOM Nationals to provide services in Trinidad and Tobago.

Benefits

- 4.83. The MTI also submitted the following major benefits associated with the full implementation of the Free Movement of Goods and Free Movement of Services Regimes:
-  A ready market for preferential trade in goods;
 -  Greater opportunities for domestic manufacturers to achieve economies of scale as the market size is increased;
 -  Possible source of cheaper imports and inputs used in manufacturing;
 -  Increased market size for service providers;
 -  Larger pool of labour to select from;
 -  Lower prices and better quality of goods and services through increased competition;
 -  Improved quality of life as consumers have access to a greater variety of goods and services; and
 -  Increased employment opportunities and improved standards of living.

Challenges

- 4.84. Among the challenges associated with implementation of the Free Movement of Goods and Free Movement of Services Regimes are:
-  Non-completion of legislative amendments prohibiting the trade in services in certain categories among Member States;
 -  Lack of formal procedures in Trinidad and Tobago for regulation and monitoring of CARICOM nationals entering Trinidad and Tobago under the individual regimes;
 -  Lack of formal procedures in Trinidad and Tobago for enforcing legal measures in cases where CARICOM nationals are found with fraudulent CARICOM Skills Certificates and where fraudulent documents are presented during the application for Skills Certificates;
 -  Human resource constraints in performing the activities and obligations under the specific regimes;
 -  Non-harmonised import requirements and procedures in Member States. This disrupts the free movement of goods as exporters are required to keep track of the import requirements in individual Member States and ensure these are satisfied;
 -  The implementation of varying versions of the Common External Tariff (CET) by Member States which can result in different tariff codes used for trade in the same product; and
 -  The implementation of burdensome and protectionist non-tariff measures by Member States.

¹⁶ Accessed at <https://tradeind.gov.tt/wp-content/uploads/2019/09/Trade-Policy-2019-2023.pdf>

The Establishment of a Structured Mechanism to Engender Participation by the Private Sector and Labour in the Work of the CSME and to Amend the Revised Treaty of Chaguaramas

- 4.85. According to MoFCA, CARICOM has not yet convened meetings on this matter and the mechanism for stakeholder consultation has yet to be considered by the relevant organ of CARICOM.
- 4.86. The MTI has not provided an update on the status of the establishment of a structured mechanism. However, MTI ensures private sector engagement through the Ministry's Technical Coordinating Committee (TCC). The TCC is responsible for devising and coordinating the implementation of an appropriate strategy for Trinidad and Tobago in the conduct of external trade negotiations. In this regard, the TCC is required to, *inter alia*, "ensure that the opinions/positions of private sectors, NGOs, academia and labour are incorporated in negotiations so that the economic and social impact on further trade liberalisation and globalisation are taken into consideration."
- 4.87. The TCC comprises of Sub-Committees on Market Access and Trade Facilitation, Services, Agriculture, Investment, Trade Related Issues and Legal and Institutional Issues. The TCC meets at least twice per year and has six sub-committees on market access and trade facilitation, agriculture, services, investment, trade-related issues, and legal and institutional issues. The sub-committees include representatives from the public and private sectors, such as relevant ministries, agencies and organisations, for example the Trinidad and Tobago Manufacturer's Association. The MTI will continue to utilise this mechanism for consultations with the Private Sector and Labour on all matters related to the CSME.
- 4.88. Your Committee probed into whether a representative from the MoFCA serves on the TCC.
- 4.89. The MTI indicated that the MoFCA is a part of the MTI's TCC, pursuant to TCC's terms of reference which was approved by Cabinet in the early 1990's. However, there is no named representative from the MoFCA that participates in meetings of the TCC and its sub-committees. Representatives are usually nominated by the Permanent Secretary upon receipt of an invitation to and after consideration of the subject matter of the meeting.

The Inclusion of the CSME Perspective on the TCC

- 4.90. Your Committee enquired whether the CSME perspective was represented on the TCC and sought to identify the entity entrusted with the examination of proposals.
- 4.91. The MoFCA informed the Committee that the terms of reference of the TCC requires the Committee to 'liaise with the CARICOM Secretariat and other relevant organisations both local and foreign, to ensure that Trinidad and Tobago's interests are articulated and enveloped within CARICOM's negotiating strategy.'
- 4.92. Also, the TCC usually consulted on CSME trade related issues in the development of national positions, when they arise. All positions and proposals on trade related issues would be approved by the Permanent Secretary of the MTI before submission to the CARICOM Secretariat.

Update on MOU between CARICOM Private Sector Organisation and the Caribbean Community

- 4.93. Your Committee sought an update on initiatives emanating from the signing of the MOU between CARICOM Private Sector Organisation and the Caribbean Community to cooperate on the full implementation of the CSME on Thursday December 03, 2020.
- 4.94. The MTI indicated that the CARICOM Private Sector Organisation Inc.(CPSO) was incorporated on June 02, 2020 in response to the decision of the 18th Special Meeting of the CARICOM Heads

of Government (held in December 2018) for a more formalised and structured mechanism to facilitate dialogue with the region's Private Sector and Labour. In October 2020, the CPSO was designated as an Associate Institution of CARICOM by the Conference of Heads of Government.

- 4.95. In December 2020, the CPSO signed a MOU¹⁷ with CARICOM to formally establish a mechanism for cooperation. The MOU provides for the CPSO's engagement with the organs of CARICOM, Committees, Working Groups or Technical teams considering matters related to CSME implementation. The MOU highlights the main obligation of the CPSO to work with Member States and Labour towards full implementation of the CSME.
- 4.96. The MoFCA informed the Committee that at the Thirty-Second Inter-Sessional Meeting of the Conference of Heads of Government held on February 24 and 25 2021, the Conference agreed to "the hosting of an urgent meeting among the Prime Ministerial Sub-Committee (PMSC) on the CSME, the Special Ministerial Task Force and the CPSO to develop and agree on a Road Map/Action Plan." To this end, the Road Map/ Action Plan is still being developed. At the eleventh meeting of the Prime- Ministerial Sub Committee on the CSME held on June 25, 2021, the representative of the CPSO stated that consultations with Member States would be concluded by August 31, 2021 and thereafter, a report will be generated to be utilised for the Road Map/Action Plan.
- 4.97. The MoFCA also noted that the CPSO and the Special Ministerial Task Force (MTF) on Food Production and Food Security which includes Antigua and Barbuda, Barbados, Belize, Dominica, Guyana, Jamaica, St. Vincent and the Grenadines, Suriname, and Trinidad and Tobago, have been working together since its establishment at the Thirty-Second Inter-Sessional Meeting of the Conference of Heads of Government held on February 24 and 25 2021.

Findings

1. The MTI ensures Private Sector engagement through the Ministry's Technical Coordinating Committee (TCC).
2. Although the MoFCA is part of the MTT's TCC, it does not participate in meetings of the TCC and that of its sub-committees unless invitations to meetings are issued and based on the subject matter of these meetings.

Recommendations

- 4.98. The Committee recommends that the Ministry:
 - (13) Collaborate with the Ministry of Trade and Industry to discuss formalising representation from the MoFCA on the TCC and its sub-committees.**

¹⁷ Accessed at <https://caricom.org/wp-content/uploads/MOU-CPSO-and-CARICOM.pdf>

FREE MOVEMENT OF CAPITAL

Trinidad and Tobago's gains with regard to the Free Movement of Capital

- 4.99. Evidence tendered by the MoFCA indicated that with regard to the Free Movement of Capital, Trinidad and Tobago has experienced increased investment and a general expansion of the opportunities available to businesses and persons seeking to improve their lives through greater opportunities for jobs.

Findings

1. The Free Movement of Capital has benefited Trinidad and Tobago.

Recommendations

4.100. The Committee recommends that the Ministry:

- (14) **Strategise with the Ministry of Trade and Industry to promote the benefits of the free movement of capital to citizens.**

THE RIGHT OF ESTABLISHMENT

Right of Establishment Defined

- 4.101. The Committee was informed by the MoFCA that the Right of Establishment refers to the ability of a CARICOM national to move from one Member State to another for the purpose of establishing a business, providing either a good or a service.
- 4.102. According to the MTI, the principle of mutual recognition of companies require Member States to recognise the legal capacity of a company that is registered/incorporated in another Member State, and requires said company to be treated in the same way as domestically registered/incorporated companies.
- 4.103. The Right of Establishment principle does not require the company to re-register and establish themselves in another Member State.
- 4.104. The documents required to set-up a business in Trinidad and Tobago and for a Trinidad and Tobago national to set up a business in a Member State are outlined in **Appendix VII**.

Provisions for the Right of Establishment in Trinidad and Tobago

- 4.105. The Committee was informed by the MTI that although it is anticipated that the Right of Establishment would require amendment to the Companies Act, Chap.81:01 and possibly other legislation, the MTI has not initiated any actions to fulfill this commitment. However, currently, there are no provisions in the Companies Act, Chap. 81:01 that restrict CARICOM nationals from incorporating or registering a company in Trinidad and Tobago.¹⁸ In addition, once established, the company is not treated differently to an entity established by a Trinidad and Tobago national.
- 4.106. The MTI was also advised by the MoFCA that the CARICOM Model legislation for mutual recognition of companies has not been circulated by the CARICOM Secretariat at the regional level and as such, Trinidad and Tobago has not undertaken any consultations.

Benefits of Right of Establishment to Trinidad and Tobago

- 4.107. According to the MTI, Trinidad and Tobago has received a substantial amount of economic investments due to CARICOM nationals establishing businesses. Investments have been made in the Food and Beverage, Tourism, Beauty, Retail, Accounting, Construction and Education Industries. Beyond the capital investment, Trinidad and Tobago also benefits through revenue from taxes, as well as the purchasing of land, warehouses and other various assets. Businesses have also employed nationals. Additionally, the Right of Establishment has allowed for a larger pool of local labour as CARICOM nationals can also enter to work as technical, supervisory and managerial staff in local companies.

Challenges with the Right of Establishment Regime

- 4.108. A significant number of CARICOM nationals have entered Trinidad and Tobago and have established successful businesses. However, Trinidad and Tobago nationals have not been able to establish successful businesses in CARICOM Member States primarily due to poor implementation of the Right of Establishment in other Member States. The procedure for CARICOM nationals



¹⁸ The Registrar's General Department of the Ministry of the Attorney General and Legal Affairs supports the use of the Online Companies Registry in principle as the regional registry can facilitate information exchange between national companies' registries through a single harmonised platform. However, the registrar General has recognised that stakeholder consultations is necessary prior to indicating a definitive position on using the database.

seeking to establish businesses in Member States varies amongst Member States. The MoFCA received reports from small businesses on the inability to set up in CARICOM Member States.

Data on the Right of Establishment


- 4.109. The MoFCA has not conducted an assessment in any detail to evaluate the right of establishment in Trinidad and Tobago and in other Member States.
- 4.110. Information on the number of Trinidad and Tobago nationals seeking to establish businesses in CARICOM Member States is unavailable at the MoFCA and only cursory reports of persons expressing interest are available.
- 4.111. Established businesses from Trinidad and Tobago have been able to operate businesses in other Member States and this was confirmed based on data sourced from the CARICOM Secretariat.¹⁹ Seventy-three (73) applications were approved for Trinidad and Tobago nationals under the Rights of Establishment from 2006-2017. See **Appendix VIII**.
- 4.112. Based on supplemental information requested by your Committee in the 12th Parliament, the total number of approved CARICOM Nationals under the Right of Establishment from 2018 to present is sixty-seven (67).
- 4.113. During the period 2012 to 2018, the MoFCA processed applications under the Rights of Establishment and has since processed applications from Dominica, Grenada, Guyana, Jamaica; Saint Lucia, St. Vincent and the Grenadines and Suriname. The largest number of applications received and approved during these years were from Guyana, which had sixty-nine (69) applications in 2018. A breakdown by country can be viewed in **Appendix IX**.
- 4.114. According to the MTI, Trinidad and Tobago has been the largest receiver of CARICOM nationals moving under the Free Movement of Persons and Rights of Establishment regimes. Additionally, over 120 businesses have been set up in Trinidad and Tobago for the period 2002-2017 and over 100 CARICOM nationals have entered as Managerial, Supervisory and Technical Staff.

Factors accounting for Trinidad and Tobago being the largest receiver of CARICOM nationals

- 4.115. Your Committee enquired into the factors which account for Trinidad and Tobago being the largest receiver of CARICOM nationals.
- 4.116. The MTI indicated that the following factors can justify the reasons why Trinidad and Tobago is the largest receiver of nationals moving under the Free Movement of Skills and Rights of Establishment regimes:
-  Low unemployment rate - Based on information from the 2020 Review of the Economy, Trinidad and Tobago had the lowest unemployment rate among the CARICOM More Developed Countries (Jamaica, Guyana and Barbados);
 -  High GDP²⁰ per capita; and

¹⁹ CARICOM currently has several Community online Platforms (COPs) and include an Online Companies' Registry System (OCRS). These systems are hosted on information technology infrastructures located in Barbados and Jamaica and are approaching their life cycle expectancy and require replacement. CARICOM is currently discussing the successor infrastructure for these platforms. The OCRS serves as a central repository of information on companies and other legal entities established in the CSME. This regional registry would facilitate information exchange and networking among the national companies' registries and the Secretariat. It also functions as a portal via which persons can perform name searches, reserve business names, and register a company in CSME Member States. This online registry within the CSME is a vital part of the drive toward creating a single jurisdiction for companies operating in the single market whereby once registered in one participating Member State, companies will be deemed as being registered in all.

²⁰ Gross Domestic Product

-  Emigration of skilled Trinidad and Tobago nationals to North America, Canada and the United Kingdom in the same categories of workers eligible for free movement within the CSME, creating opportunities for the movement of regional skilled workers.

Assistance provided by the MoFCA to Trinidad and Tobago nationals in establishing businesses in other CARICOM Member States

4.117. According to the MTI, the MoFCA assists nationals through the sharing of information with interested parties on the process for obtaining rights of establishment status.

Stakeholder Consultations

4.118. The Model Legislation for the Mutual Recognition of Companies and the Model Legislation for the Right of Establishment have not been finalised at the regional level. Stakeholder consultations have therefore not yet begun in Trinidad and Tobago.

Mutual Recognition of Companies

4.119. With respect to the Mutual Recognition of Companies incorporated in a CARICOM Member State your Committee requested the following information from the MoFCA and was informed that same was being pursued:

- (a) An update on Trinidad and Tobago's implementation of this arrangement.
- (b) Has the model legislation from CARICOM been circulated to enable Trinidad and Tobago to conduct stakeholder consultations?
- (c) Did Trinidad and Tobago submit stakeholder comments to the CARICOM Secretariat for circulation to other Member States for discussion within the relevant Organs at the regional level?
- (d) Has the COVID-19 pandemic affected the incorporation and establishment of regional companies in Trinidad and Tobago?

The level of interest of nationals in establishing businesses in another Member State

4.120. The MTI submitted that based on feedback from Trinidad and Tobago nationals, there is a high level of interest in establishing businesses in another Member State, especially in the Food and Beverage, Creative Industries and Education sectors.

The promotion of the Right of Establishment regime

4.121. The promotion of the Right of Establishment regime is undertaken via online advertising on the website of the MoFCA. The CSME Unit of the MoFCA is expected to begin its 2021-2022 Strategic Public Awareness campaign in September 2021 and will conduct sensitisation workshops with relevant stakeholders of the public and private sector on the Right of Establishment. This will be complimented by efforts from the CARICOM Secretariat, via informational booklets, information on its website and social media platforms.

Findings

1. The MoFCA has not conducted an assessment in detail to evaluate the Right of Establishment in Trinidad and Tobago and in other Member States.
2. There are no provisions in the Companies Act Chapter 81:01 that restrict CARICOM nationals from incorporating or registering a company in Trinidad and Tobago.
3. The inability of all Member States to harmonise the right of establishment regime is affecting Trinidad and Tobago's nationals in terms of establishing successful businesses in other CARICOM Member States.
4. Trinidad and Tobago is the largest receiver of CARICOM nationals.
5. Information on the number of Trinidad and Tobago nationals seeking to establish businesses in CARICOM Member States is unavailable at the MoFCA and only cursory reports of persons expressing interest are available.

Recommendations

4.122. The Committee recommends that the Ministry:

- (15) **Monitor the release of CARICOM's Model legislation for mutual recognition of companies.**
- (16) **Collaborate with the Ministry of Trade and Industry to conduct an assessment to evaluate the Right of Establishment in Trinidad and Tobago and Member States.**
- (17) **Collaborate with the Ministry of Trade and Industry and the CARICOM Secretariat to establish a database to record Trinidad and Tobago nationals seeking to establish businesses in CARICOM Member States.**

OTHER ISSUES

The CARICOM Arrest Warrant Treaty (CAWT)

- 4.123. The Treaty is yet to be ratified by Trinidad and Tobago. MoFCA advised that draft policy and legislation would be required for the implementation of this Treaty in Trinidad and Tobago. Additionally, discussions are to be held with the Office of the Chief Parliamentary Counsel as to which pieces of legislation would require consequential amendments; such as the Extradition (Commonwealth and Foreign Territories) Act, Chap. 12:01 and/or whether a stand-alone Bill would be required to be enacted to give domestic legislative effect to the CAWT. Additionally, there may be the need for new rules of court to be developed by the Judiciary's Rules Committee to give effect to the CAWT.
- 4.124. The additional structural arrangements that will be required to facilitate the CAWT in Trinidad and Tobago can only be accurately outlined after consultation with key stakeholders, such as, the Judiciary, the Office of the Director of Public Prosecutions, the Central Authority and the Office of the Chief Parliamentary Counsel.
- 4.125. Your Committee was informed that Trinidad and Tobago signed the CAWT on December 04, 2017.
- 4.126. The Office of the Attorney General and Ministry of Legal Affairs is in the process of developing the policy document for the implementation of the CAWT via domestic legislation. The CARICOM policy document for the CAWT is very brief and as such the Ministry is studying the European Arrest Warrant system, which is the model used by the CARICOM Secretariat to frame the CAWT. The St. Lucian CAWT domestic legislation is also being reviewed to help develop a policy document. The process is currently ongoing.

The MoFCA's CSME Sensitisation Efforts

- 4.127. The MoFCA has also engaged communities, tertiary level institutions and participated in Public Service Week and job fairs over the years at various points. Consideration is being given to resuming this approach more vigorously. In 2018, the MoFCA engaged in outreach at Cipriani College of Labour and one (1) other Secondary School.
- 4.128. The MoFCA recognises that there are areas which have not been reached in their public engagement on the CSME. Additionally, given its current limited resources, there is need to develop a more efficient approach to its sensitisation efforts aided by the greater use of technology.
- 4.129. The MoFCA indicated that it does not have a mechanism or methodology to determine the success of its outreach efforts. Furthermore, the MoFCA does not have a mechanism in place to capture information which will inform whether persons who involved in the MoFCA outreach activities applied for a Skills Certificate. However, based on repeat requests by institutions for presentations on the CSME, there continues to be a high level of interest.

The status of the Ministry's engagement with tertiary level institutions regarding the CSME

- 4.130. Due to the COVID-19 pandemic, the CSME Unit has not had the level of engagement with tertiary level institutions as it did prior to the outbreak. However, the Unit facilitated institutions such as the Cipriani Labour College by providing information on CSME, data, booklets and power point presentations to facilitate virtual learning.

- 4.131. The CSME Unit's Modernisation Plan 2020-2022 includes the roll out of a CSME public sensitisation programme, which will include the public and private sectors, academic institutions, stakeholders and the public, in the latter part of 2021.

Findings

1. The sensitisation efforts of the MoFCA need to be more efficient and wider reaching.
2. The MoFCA lacks a mechanism or methodology to measure the success of its sensitisation efforts.

Recommendations

4.132. The Committee recommends that the Ministry:

- (18) Resume engagement activities with communities, secondary and tertiary level institutions and make good use of the opportunities to present information on the importance of the CSME at public service week, job fairs and other expositions via online platforms.**
- (19) Utilise its website, and social media platforms such as Facebook, Twitter, and other sites to provide information on the importance of the CSME.**
- (20) Record information on participants involved in its engagement activities.**

4.133. Your Committee therefore respectfully submits this Report for the consideration of the Parliament.

Ms. Paula Gopee-Scoon, MP
Chairman

Dr. Maria Dillon-Remy
Vice-Chairman

Mr. Brian Manning
Member

Mr. Terrence Deyalsingh, MP
Member

Mr. Rodney Charles, MP
Member

Ms. Shamfa Cudjoe, MP
Member

Mr. Anil Roberts
Member

Ms. Donna Cox
Member

Dated: July 04, 2022

APPENDICES

APPENDIX I

**ATTEMPTED MEETINGS OF THE
COMMITTEE**

No.	Date and time of Scheduled Meeting	Entity to appear before Committee	Reason for Meeting Postponement
1.	Wednesday May 01, 2019 at 1:00 p.m.	Ministry of National Security	Due to a sitting of the House of Representatives scheduled for Wednesday May 01, 2019, at 10:00 a.m.
2.	Wednesday May 22, 2019 at 1:30 p.m.	Ministry of Trade and Industry Ministry of National Security	Due to lack of quorum.
3.	Wednesday June 12, 2019 at 1:30 p.m.	Ministry of Trade and Industry Ministry of National Security	Due to lack of quorum.
4.	Wednesday July 3, 2019 at 1:30 p.m.	Ministry of Trade and Industry Ministry of National Security	Due to a Sitting of the House of Representatives to be held on Wednesday July 3, 2019 at 1:30 p.m.
5.	Wednesday July 10, 2019 at 1:30 p.m.	Ministry of Trade and Industry Ministry of National Security	Due to the unavailability of Ministry of National Security officials
6.	Wednesday September 11, 2019 at 1:30 p.m.	Ministry of Trade and Industry Ministry of National Security	Due a Senate Sitting on Wednesday September 11, 2019 at 1:30 p.m.
7.	Wednesday September 18, 2019 at 1:30 p.m.	Ministry of National Security	Due to lack of quorum.
8.	Wednesday November 13, 2019 at 1:30 p.m.	Ministry of National Security	Due to lack of quorum.
9.	Wednesday December 4, 2019 at 1:30 p.m.	Ministry of National Security	Due to a Sitting of the Senate on Wednesday December 4, 2019 at 1:30 p.m.

APPENDIX II

ST. ANN'S DECLARATION

THE ST. ANN'S DECLARATION

WE, the Heads of Government of the Caribbean Community (CARICOM), meeting at Port of Spain Trinidad and Tobago 3-4 December, 2018 on the occasion of the 18th Special Meeting of the Conference of Heads of Government of CARICOM;

RECALLING the 1989 Declaration of Grand Anse which initiated the process towards the CARICOM Single Market and Economy (CSME), the signing of the Revised Treaty of Chaguaramas in 2001, which established the CSME and the launch of the CSME in 2006;

CONVINCED that the CSME continues to be the most viable platform for supporting growth and development in the Member States of CARICOM;

RECOGNISING the need to make it more closely attuned to the needs and priorities of Member States and contributing more visibly to growth and development and to the welfare of the people of the Community;

HAVING REVIEWED its progress and acknowledged that it should have been further advanced;

HAVING CONSIDERED the "Report of the Commission to Review Jamaica's Relations within the CARICOM and CARIFORUM Frameworks";

HAVING ALSO CONSIDERED the perspectives of the Member States of the Organisation of Eastern Caribbean States (OECS);

UNDERSCORING the critical role of the CARICOM Development Fund (CDF) in supporting the CSME;

HAVING EXCHANGED views with the representatives of the private sector and labour and encouraged by their commitment to the regional integration project and their recommendations for the enhancement of the CSME;

RECOGNISING that the goal of our regional integration process is to enhance the well-being of all of the citizens of our Community;

THE ST. ANN'S DECLARATION CONTINUED

DECLARE:

We are committed to take action at the national level to advance the regional integration agenda;

We are determined to ensure the equitable distribution among the peoples of the Community of the gains realised through the regional integration process;

We have agreed on a formalised, structured mechanism to facilitate dialogue between the Councils of the Community and the private sector and labour;

We have also agreed to amend the Treaty to include as Associate Institutions representative bodies of Private Sector and Labour;

We have agreed that in accordance with Article 50 of the Revised Treaty which deals with the principle of accelerated implementation, that the principle will be applied to any initiative which is consistent with the Revised Treaty;

We agreed that that those Member States so willing would move towards full free movement within the next three (3) years;

We have mandated that steps be taken to deepen cooperation and collaboration between the Secretariats of CARICOM and the OECS to avoid duplication and maximise the utility of scarce resources;

We will reinforce the operation of our security mechanisms to ensure the integrity of the regime allowing the free movement of CARICOM nationals;

We will examine the re-introduction of the single domestic space for passengers in the Region;

We have agreed to work towards having a single security check for direct transit passengers on multi-stop intra-Community flights;

We will conduct a special session on Air and Maritime Transportation at the Intersessional meeting of the Conference in February 2019 to focus on this critical aspect of integration as a whole and the CSME in particular;

We will include Agricultural Workers, Beauty Service Practitioners, Barbers and Security Guards to the agreed categories of skilled nationals who are entitled to move freely and seek employment within the Community;

THE ST. ANN'S DECLARATION CONTINUED

We reiterate that that a skills certificate issued by one Member State would be recognised by all Member States;

We will complete legislative and other arrangements in all Member States for all categories of Free Movement of Skilled Persons;

We will finalise the regime that permits citizens and companies of the Community to participate in the Public Procurement processes in Member States by the year 2019;

We will take all necessary steps to allow for mutual recognition of companies incorporated in a CARICOM Member State;

We have mandated the Community Council to develop appropriate recommendations on the proposal for the introduction of a regime of sanctions for the consideration of the Conference;

We welcome Haiti's commitment to full integration into the CSME by 2020;

We have appointed Professor Avinash Persaud to lead a restructured Commission on the Economy to advise Member States on a Growth Agenda for the Community

The Members of the Commission on the Economy (CCE) –

Professor Avinash Persaud (Barbados Government Special Advisor on the Economy)

Mr. Chester Humphrey (Trade Union Leader, Grenada)

Dr. Damien King (Senior Lecturer in the Department of Economics, The UWI, Mona, Jamaica)

Mr Gregory McGuire (Senior Manager, Office of Strategy Management, National Gas Company, Trinidad and Tobago)

Mr Roger McLean (Research Fellow, Health Economics Unit, The UWI, St Augustine, Trinidad and Tobago)

Dr. Wendell Samuel (Programme Coordinator, Caribbean Regional Technical Assistance Centre, St Vincent and the Grenadines)

Mr. P. B. Scott (Chairman, Musson Group, Jamaica)

Ms. Therese Turner-Jones (General Manager, Country Department Caribbean Group, IDB, The Bahamas)

Ms. Ngozi Okonjo-Iweala (Co-Chair of the Global Commission for the Economy and Climate and former Finance Minister of Nigeria)

Mr. Pascal Lamy (Former Director-General of the World Trade Organisation, France)

APPENDIX III

ADDITIONAL INFORMATION FROM THE MINISTRY OF NATIONAL SECURITY ON CARICOM NATIONALS SEEKING, DENIED AND ADMITTED ENTRY INTO TRINIDAD AND TOBAGO

**Statistical Data with respect to CARICOM nationals
for the period January 01, 2020 to December 31, 2020**

Country	CARICOM nationals seeking entry	CARICOM nationals denied entry	CARICOM nationals admitted
Antigua and Barbuda	1071	0	1071
Bahamas	399	0	399
Barbados	2893	1	2892
Belize	121	0	121
Dominica	483	0	483
Grenada	2633	10	2623
Guyana	5864	61	5803
Haiti	1814	48	1766
Jamaica	3059	61	2998
Monserrat	16	0	16
Saint Lucia	1446	3	1443
Saint Kitts and Nevis	290	0	290
Saint Vincent & the Grenadines	2566	9	2557
Suriname	689	2	687
TOTAL	23344	195	23149

Government Plaza 3 – 9 Richmond Street, Port of Spain, Republic of Trinidad and Tobago, West Indies
Tel: 1-868-225-4664 | Fax: 1-868-225-4201 | Website: www.immigration.gov.tt | Email: immigration.information@gov.tt

APPENDIX IV

DETAILS ON CARICOM NATIONALS RESIDING IN TRINIDAD AND TOBAGO

Number of CARICOM Nationals Provided with Resident Status (by Year)

	CARICOM Country	2007	2008	2009	2010	2011	2012	2013	2014	2015	2016	2017	2018	2019	TOTALS
1	Antigua and Barbuda	-	3	-	-	-	1	-	-	-	-	-	-	-	4
2	Bahamas		1	-	-	-	1	1	1	-	1	-	-	-	5
3	Barbados	5	7	7	5	9	10	7	5	1	-	1	1	-	58
4	Belize		1	-	-	-	-	-	1	-	-	-	-	-	2
5	Dominica	5	2	1	6	2	5	2	5	-	1	3	4	-	36
6	Grenada	25	35	23	13	10	33	30	21	5	3	1	8	-	207
7	Guyana	166	158	134	126	144	193	227	190	44	32	11	43	-	1468
8	Haiti	-	1	-	2	-	-	-	-	1	-	-	-	-	4
9	Jamaica	18	14	13	14	17	14	37	28	11	7	2	11	-	186
10	Montserrat	-	-	-	-	-	2	-	-	-	-	-	-	-	2
11	St. Kitts & Nevis	1	4	1	2	-	1	2	2	-	-	-	1	-	14
12	St. Lucia	4	7	4	7	5	7	11	3	1	1	-	1	-	51
13	St. Vincent & the Grenadines	33	39	16	26	24	22	33	25	4	-	-	2	1	225
14	Suriname	1	4	1	-	1	5	1	-	1	-	-	2	-	16
	TOTALS	258	276	200	201	212	294	351	281	68	45	18	73	1	2278

Table 1- Number of CARICOM Nationals provided with Resident Status (by year)

The number of CARICOM nationals arriving and departing from Trinidad and Tobago for the period 2016-2018

Country	2016		2017		2018	
	Arrivals	Departure	Arrivals	Departure	Arrivals	Departure
Antigua and Barbuda	4517	2631	5333	2647	5652	2804
Bahamas	1577	1584	1576	1575	1290	1303
Barbados	16025	15684	15493	15052	13648	13219
Belize	821	828	907	918	896	899
Dominica, Commonwealth of	2062	1700	2360	1756	2523	2141
Grenada	14179	12528	12813	11415	12870	11064
Guyana	41302	42833	38846	39174	37773	38055
Haiti	404	423	401	472	453	624
Jamaica	15326	15872	14861	14714	14330	14310
Montserrat	95	70	77	49	85	60
Saint Lucia	8025	7795	7625	7433	7272	7065
St. Vincent & the Grenadines	17211	16491	15836	15248	15139	14666
St. Kitts And Nevis	1295	1092	1311	1095	1423	1184
Suriname	5222	5208	5662	5685	5882	5908

Table 2- CARICOM nationals arriving and departing from T&T for the period 2016-2018

The number of CARICOM nationals denied entry into Trinidad and Tobago from 2007 to 2018

COUNTRY	YEAR											
	2007	2008	2009	2010	2011	2012	2013	2014	2015	2016	2017	2018
Antigua and Barbuda	0	03	05	03	02	04	01	06	05	05	04	07
Bahamas	0	0	01	02	0	0	0	0	0	01	01	0
Barbados	0	07	08	06	08	09	07	03	11	10	06	10
Belize	0	0	01	0	01	0	0	0	0	03	0	01
Commonwealth of Dominica	0	01	04	07	07	02	13	04	5	05	07	05
Grenada	06	33	42	38	39	48	36	52	56	92	52	57
Guyana	20	598	868	723	872	652	515	471	597	761	477	339
Haiti	0	02	50	17	29	22	37	41	30	33	41	181
Jamaica	07	97	468	362	597	400	724	330	414	416	289	224
Montserrat	0	0	0	0	0	0	0	0	0	0	0	0
St Kitts and Nevis	0	01	0	02	02	01	04	0	0	01	01	01
St Lucia	0	13	20	09	12	07	06	20	16	23	17	16
St Vincent and the Grenadines	10	89	121	71	140	114	86	72	69	111	71	53
Suriname	02	10	15	22	14	09	04	03	9	28	36	29
TOTAL	45	855	1603	1262	1723	1268	1433	1002	1212	1489	1002	923

The Total Number of CARICOM Nationals denied entry in Trinidad and Tobago by reasons for the year 2018

COUNTRY	Expired Passport	No Funds	No Passport	No Return Ticket	No Visa	No Work Permit	No Missionary Permit	No Student Permit	Watch List Hit Seeking Entry	Other	Total
Antigua & Barbuda	1	1	0	0	0	0	0	0	0	5	7
Barbados	0	0	1	1	0	0	0	1	0	7	10
Belize	0	0	0	0	0	0	0	0	0	1	1
Dominica	0	0	0	0	0	0	0	0	0	5	5
Grenada	0	5	1	0	0	0	0	2	5	44	57
Guyana	1	59	1	0	0	3	0	0	15	260	339
Haiti	0	15	0	0	3	1	0	0	0	162	181
Jamaica	1	37	0	1	0	2	0	0	7	176	224
Saint Lucia	1	0	1	0	0	0	0	0	2	12	16
St Kitts & Nevis	0	0	0	0	0	0	0	0	0	1	1
St. Vincent & the Grenadines	0	8	0	0	0	1	0	2	1	41	53
Suriname	0	2	0	0	0	0	0	0	0	27	29
Total	4	127	4	2	3	7	0	5	30	741	923

APPENDIX V

BREAKDOWN OF TOTAL NUMBER OF CARICOM NATIONALS SEEKING, ALLOWED AND DENIED ENTRY INTO TRINIDAD AND TOBAGO IN 2018

**Breakdown of Total Number of CARICOM Nationals Seeking, Allowed and Denied Entry into
Trinidad and Tobago in 2018**

COUNTRY	TOTAL SEEKING ENTRY	TOTAL ALLOWED ENTRY	DENIED ENTRY
Antigua & Barbuda	5659	5652	7
Bahamas	1291	1291	0
Barbados	13683	13673	10
Belize	897	896	1
Dominica	2539	2534	5
Grenada	13296	13239	57
Guyana	38327	37988	339
Haiti	635	454	181
Jamaica	14558	14334	224
Montserrat	89	89	0
Saint Lucia	7305	7289	16
St. Kitts and Nevis	1431	1430	1
St. Vincent and The Grenadines	15357	15304	53
Suriname	5911	5882	29
TOTAL	120978	120055	923

APPENDIX VI

INFORMATION FROM THE MINISTRY OF NATIONAL SECURITY ON THE NO. OF CARICOM NATIONALS DENIED ENTRY INTO TRINIDAD AND TOBAGO

**Number of CARICOM Nationals Denied Entry into Trinidad and Tobago
from Calendar 2010 to August 2021**

No.	CARICOM Country	2010	2011	2012	2013	2014	2015	2016	2017	2018	2019	2020	2021
1.	Antigua and Barbuda	03	02	04	01	06	05	05	04	07	02	0	0
2.	Bahamas	02	0	0	0	0	0	01	01	0	01	0	0
3.	Barbados	06	08	09	07	03	11	10	06	10	13	01	0
4.	Belize	0	01	0	0	0	0	03	0	01	0	0	0
5.	Dominica	07	07	02	13	04	05	05	07	05	06	0	0
6.	Grenada	38	39	48	36	52	56	92	52	57	31	10	0
7.	Guyana	723	872	652	515	471	597	761	477	339	277	61	01
8.	Haiti	17	29	22	37	41	30	33	41	181	446	48	0
9.	Jamaica	362	597	400	724	330	414	416	289	224	193	61	0
10.	Montserrat	0	0	0	0	0	0	0	0	0	01	0	0
11.	St. Kitts & Nevis	02	02	01	04	0	0	01	01	01	02	0	0
12.	St. Lucia	09	12	07	06	20	16	23	17	16	16	03	0
13.	St. Vincent & the Grenadines	71	140	114	86	72	69	111	71	53	33	09	0
14.	Suriname	22	14	09	04	03	09	28	36	29	23	02	0
	TOTALS	1262	1723	1268	1433	1002	1212	1489	1002	923	1044	195	01

It is noteworthy that Trinidad and Tobago's international borders were closed from March 17, 2020 to July 16, 2021 in keeping with Government's efforts to mitigate the spread of COVID-19.

APPENDIX VII

DOCUMENTS REQUIRED BY A CARICOM NATIONAL TO SET-UP A BUSINESS IN TRINIDAD AND TOBAGO

Procedures for a CARICOM national to set up a business in Trinidad and Tobago:

An Application Form must be completed and accompanied by the following documents:

- Valid Passport (copy of Bio date and page with immigration stamp for all Directors/Partners, Spouses and Dependants)
- Business Plan or Project Proposal for a new Enterprise
- Business Registration/Certificate of Incorporation
- Board of Inland Revenue Registration
- Tax receipts as evidence that all taxes have been paid
- V.A.T Registration (if applicable)
- Bank Statements/Evidence of Financial Resources
- The Business must be more than 50% owned by a CARICOM National
- Evidence of this required and can be done by either
- Statutory Declaration
- Special Resolution's registered with the Register General's Department
- Proof of qualifications (certificates, references, resumes etc)
- Formal Lease/Rental Agreement for Business Premises
- Deed for property to show ownership (both residential and commercial)
- Letter from Landlord granting permission to the tenant for the operation of the Business
- References and/or landlord must provide contact information : Name, Address, telephone number, email and photo I.D. showing signature
- Current contracts as well as list of previous clients with contact information
- Food badge for persons operating restaurants
- Licenses to operate (if applicable)
- Last Rent Receipt
- Birth Certificate
- Marriage Certificate, Divorce Decree (where applicable)
- Birth Certificate of Spouse and Dependants
- Any change of Name Documents (Affidavits, Deed Polls) where applicable
- Police Certificate of Character for all Partners/Directors and Spouses from Home Country and from any other country where they have resided for more than three (3) months. All Police Certificates of Character must be less than six (6) months old
- Three identical passport sized photos
- Previous letter(s) of approval under the right of establishment (if applicable)

A Cabinet-appointed Inter-Ministerial Committee reviews the applications and once the application is recommended for approval, the Minister of Foreign and CARICOM Affairs makes a recommendation to the Minister of National Security for the issuance of a Work Permit Exemption.

Trinidad and Tobago does not grant an indefinite stay under the Right of Establishment. CARICOM nationals receive Work Permit Exemptions for periods not exceeding three (3) years. At the expiry of this period CARICOM nationals may seek an extension provided that the business is still in operation.

Procedures for a Trinidad and Tobago national to set up a business in a CSME Member State under the Right of Establishment

The procedures for a Trinidad and Tobago national to establish a business in a CSME Member State under the Right of Establishment is as follows:

ENTRY PROCEDURES ON THE RIGHT OF ESTABLISHMENT

Each Member State shall designate a Competent Authority for Right of Establishment. The Immigration Department or other department so designated in the respective Member State will be responsible for the implementation of the immigration procedures relating to the Right of Establishment.

PROCEDURE AT POINT OF ENTRY

CARICOM Nationals who wish to move from one CARICOM Member State to another in order to establish a business will have to present the following at the point of entry:

- Valid passport
- Return ticket
- Proof of financial resources for personal maintenance, namely credit cards, travellers cheques, cash or combination thereof.

PROCEDURE AFTER ENTRY

Immigration authorities will grant the CARICOM National a definite stay of six (6) months. After entry has been granted the CARICOM National must submit to the Competent Authority, relevant proof, such as Police Certificate, Financial Resources, Business Names Certificate / Certificate of Incorporation. The Competent Authority will determine if all requirements to establish the particular business have been satisfied. Once all requirements are satisfied, the Competent Authority will issue a letter of approval to the CARICOM national copied to the Immigration authorities.

If the business is established within the 6 months period then the CARICOM National must report to the Immigration Department to further regularize his / her stay with the following document.

APPROVAL FROM THE COMPETENT AUTHORITY

The Immigration Authorities will grant the CARICOM National an indefinite stay. Member States will determine through the national mechanisms which have been established for that purpose, whether the business is operational. If the CARICOM national is no longer operating the business or another business, the Competent Authority for Right of Establishment would inform the Immigration Department, which has the right to rescind the indefinite stay or to indicate to the person that he / she needs to apply for a permit of stay and / or a work permit until such time that there is full free movement in the Community. (Jamaica and Barbados do not grant an indefinite stay under the Right of Establishment).

EXTENSIONS

In the event that the business is not established within the 6-month period, the CARICOM national should present to the Immigration Department or other relevant department so designated by the Member State, evidence from the Competent Authority that concrete steps have been undertaken to establish the business. Where such evidence is provided, the CARICOM national will be granted an extension of 6 months.

APPENDIX VIII

APPLICATIONS RECEIVED AND APPROVED FOR CARICOM NATIONALS UNDER THE RIGHT OF ESTABLISHMENT FROM 2006 TO 2017

Right of Establishment
Applications approved for Trinidad and Tobago nationals under the Right of Establishment
from 2006 to 2017

Member State	Applications approved
Antigua and Barbuda	0
Barbados	27
Belize	1
Dominica	0
Guyana	0
Grenada	12
Jamaica	10
Saint Lucia	23
St. Kitts and Nevis	0
St. Vincent and the Grenadines	0
Suriname	0

Information was received from the CARICOM Secretariat to 2017.

APPENDIX IX

APPLICATIONS RECEIVED AND APPROVED FOR CARICOM NATIONALS UNDER THE RIGHT OF ESTABLISHMENT FROM 2006 TO 2018

Applications received from CARICOM Nationals under the Right of Establishment from 2012 to 2018

The Ministry of Foreign and CARICOM Affairs began processing applications under the Right of Establishment in 2012 and has processed and approved applications from the following Member States:

	Dominica		Grenada		Guyana		Jamaica		Saint Lucia		St. Vincent and the Grenadines		Suriname	
	Received	Approved	Received	Approved	Received	Approved	Received	Approved	Received	Approved	Received	Approved	Received	Approved
2012	1	1	2	2	22	17	9	4	-	-	3	-	-	-
2013	1	-	2	2	48	27	12	5	1	-	-	-	-	-
2014	-	-	-	-	37	24	4	3	2	2	-	-	-	-
2015	-	-	1	1	34	21	5	3	-	-	-	-	1	1
2016	1	-	1	1	53	23	7	1	-	-	1	1	-	-
2017	-	-	-	-	26	11	9	2	1	1	1	1	-	-
2018	-	-	-	-	69	47	2	-	1	1	-	-	2	2