



MINISTRY OF FINANCE

Government of the Republic of Trinidad and Tobago

Eric Williams Finance Building, Eric Williams Plaza, Independence Square, Port of Spain, Trinidad and Tobago, W.I.
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June 14, 2018

Mr. Afra Raymond
Apt #14
#1a Dere Street
PORT OF SPAIN

BY HAND

Dear Mr. Raymond,

Re: Requests for Information under the Freedom of Information Act

We write with reference to the subject at caption, to your four (4) requests for access to official documents made pursuant to section 13 of the Freedom of Information Act, Chap. 22:02 (“**FOIA**”) dated 24 April 2018 and further to our letter dated 29 May 2018.

Your requests seek access to copies of the following:

1. Details of creditors and payments in respect of Caribbean Money Market Brokers and its subsidiaries (“**request #1**”);
2. Details of creditors and payments in respect of British American Insurance Company and its subsidiaries (“**request #2**”);
3. Legal fees and disbursements paid to Attorneys retained for CV 2013-01162 and P201 of 2015 to specify the sums paid to and/or due to those attorneys (“**request #3**”);
4. Details of creditors and payments in respect of CL Financial and its distressed subsidiaries included in the CL Financial Bailout (“**request #4**”);
5. Details of creditors and payments in respect of CLICO and its subsidiaries (“**request #5**”);
6. Details of creditors and payments in respect of CLICO Investment Bank and its subsidiaries (“**request #6**”);
7. Details of interest and financing costs incurred in the CL Financial Bailout (“**request #7**”);
8. Presentation to Independent Senators made in September 2011 by then Minister of Finance, Winston Dookeran and then Central Bank Governor, Ewart Williams – to include text, slides, tables (“**request #8**”);

9. Any other payments made or expenses incurred in the CL Financial bailout (“**request #9**”);
10. Details of payments made and due in respect of professional fees and disbursements due to accountants, auditors, attorneys, receivers or liquidators in the CL Financial Bailout (“**request #10**”);
11. Details of payments made and due in respect of commissions and disbursements due to real estate agents, investment advisers, bankers and stockbrokers in the CL Financial Bailout (“**request #11**”);
12. Audited accounts of CL Financial Limited for the financial year 2008 to date, to include any interim, preliminary, draft, unaudited or management accounts in that period (“**request #12**”).

The Ministry in in the process of considering your various requests and at this stage, wishes to advise as follows:

- a. The Ministry of Finance is not in possession of the information at request #3. The attorneys with conduct of the matters in question were not retained by the Ministry of Finance;
- b. The Ministry of Finance is not in possession of audited accounts of CL Financial for the financial years 2008 to date (request #12), but is in possession of CL Financial’s management accounts for the years 2015, 2016 and 2017. Your request for access to the latter has been approved and copies are enclosed herewith for your attention.
- c. With respect to request #8, this appears to be the same document which was the subject of a previous request under the FOIA and which was the subject of High Court claim CV 2013-01162 and Civil Appeal No. P-201 of 2015 then referred to as “The presentation made to Members of Parliament in September 2011 as a briefing for the debate on The Central Bank (Amendment) Bill & The Purchase of Rights and Validation Bill, 2011, including copies of all slides, power-point slides, tables, charts, schedules, text or other information which comprised that presentation.”
- d. You will recall that by Order dated 22 July 2015, Mr Justice Boodoosingh ordered that the Minister of Finance and the Economy provide the said document. In Civil Appeal No. P-201 of 2015 a consent order was entered on 24 January 2018 compromising the appeal and as part of the compromise the order of Mr. Justice Boodoosingh was varied to exclude any reference to the said presentation. In the premises, we have been advised by our attorneys that it is an abuse of the process of the court and/or you are estopped from making a request for the same document.
- e. In any event, quite apart from the above, the Ministry of Finance has conducted thorough and diligent checks and is not in possession of the document

requested at request #8. In this regard and pursuant to section 23(e) of the FOIA, you are informed of your right to complain to the Ombudsman.

Requests # 1, 2, 4, 5, 6, 7, 9, 10, and 11 remain under consideration at this time, and as outlined in our letter of 29 May 2018, the Ministry requires further time to take legal and/or other advice prior to responding to same.

Kindly direct any further communication on this matter to the undersigned by letter delivered to the office of the Ministry of Finance. Please note that any other form of communication whether oral or in writing will not be acknowledged or treated as received.

Please note that any further communications to you will be sent to the address set out above, which is the address stated on your requests for access to official documents.

Yours sincerely,



Vishnu Dhanpaul
Permanent Secretary

Encls.

