

Head 12: Environmental Commission

A summary of the Commission's Expenditure, Divisions and Projects
Financial Scrutiny Unit, Parliament of the Republic of Trinidad and Tobago

Table of Contents

| | |
|--|----|
| About this Guide | 2 |
| Head 38: Environmental Commission | 3 |
| Department Overview | 3 |
| Where the Commission spends its money | 6 |
| 2017-2018 Estimates of Expenditure | 6 |
| Summary of Recurrent Expenditure for the period 2012-2018 | 7 |
| Staff and Pay | 12 |
| Analysis and Summary of Expenditure..... | 13 |
| The Commission's total allocation as a percentage of the National Budget for the period 2012 to 2018 | 14 |
| Committee Reports Related to the Environmental Commission..... | 15 |
| General Useful Information..... | 17 |

About this Guide

This guide provides a summary of expenditure for the Environmental Commission for the period 2012-2018. It provides the Members of Parliament and stakeholders with an overview of the Commission's responsibilities. The primary purpose of this guide is to consolidate all of the information contained within the various Budget Documents pertaining to the Environmental Commission and provide readers with an analysis of same. This guide is based primarily on the Draft Estimates of Recurrent Expenditure, the Draft Estimates of Development Programme, and the Auditor General's Report on the Public Accounts of the Republic of Trinidad and Tobago for the fiscal year 2016.

Head 38: Environmental Commission

Department Overview

The Environmental Commission of Trinidad and Tobago, empowered by the Environmental Management Act 1995, was designed to be a Superior Court of Record to settle environmental disputes.¹ The tenants of the Commission are to:

- Provide quality service;
- Promote fairness and integrity; and
- Uphold civil freedoms.

The purpose of the Environmental Commission is to hear and determine, inter alia:

- Appeals from the decision or action of the Environment Management Authority (EMA);
- Applications for deferment of decisions by the EMA to undertake certain emergency response activities; and
- Applications by the EMA for environmentally sensitive areas or environmentally sensitive species and administrative civil assessments.

The Commission comprises a full-time Chairman, a full-time Deputy Chairman and three part-time members. The part-time members are appointed on the basis of their knowledge of, or experience in environmental issues, engineering, the natural sciences or the social sciences. The composition of the Commission is designed to ensure that the Commission is comprised of persons with qualifications, training and experience, who are able to guarantee impartiality and make sound decision(s) in matters brought before the agency.²

¹ Environmental Commission of Trinidad and Tobago, Report on Performance and Activities 2000-2003. Accessed on September 29, 2017: www.ec.gov.tt/index.php/publications/category/1-annual-reports?download=2...

² A Guide to the Environmental Commission of Trinidad and Tobago, Accessed on September 29, 2017: [a guide to the environmental commission of trinidad and tobago.pdf](#)

Vision Statement

The Environmental Commission, a superior court of record, will be a court characterised by excellence, which strives to attain justice for all through the rule of law. The Commission will be the premier environmental court in the region setting the trend in environmental decision-making and the utilisation of case management methodology and court information technology.

Guiding Principles

The Vision Statement of the Environmental Commission is premised on the following principles:

- Provide equal access to a fair and effective system of justice to all members of society;
- Offer alternative dispute resolution processes while preserving the right of parties to a hearing before the Commission;
- Provide quality service that continuously improves, that meets and exceeds public expectations, and ensures that all persons appearing before the Commission are treated with courtesy, respect and dignity;
- Maintain the independence of the Commission while strengthening relations with the public, the bar, the Legislature and the Executive;
- Enhance the potential of every person at the Commission to contribute to the administration of justice through participation, training and technology; and
- Earn the respect and confidence of an informed public.

Mission Statement

The Environmental Commission shall, in a fair, accessible, effective, and efficient manner, resolve environmental disputes arising under the law and shall interpret and apply the law consistently, impartially, and independently to protect the rights of citizens while being cognizant of the need for the balancing of economic growth with environmentally sound practices.

Guiding Principles

Consistent with its Mission Statement, the Environmental Commission shall be guided by the following principles:

- To make decisions in the best interest of the public;
- To conduct the Commission's business based on an underlying commitment to equal and timely justice while providing public access to an independent forum for the resolution of disputes;
- To advocate for policies and resources that are necessary for the Commission to fulfil its Mission;
- To ensure the continued development of an accessible Commission through planning, research, and evaluation programmes and through the use of modern management approaches and technological developments;
- To provide leadership in the administration of justice at the Commission by establishing broad and consistent policies for the operation of the Commission and appropriate rules and forms;
- To promote a competent, responsive and ethical Commission and staff through a comprehensive programme of judicial education and training of Commission employees; and
- To contribute to the public's understanding of the judicial process at the Commission through a continuing programme of public education.

Statement of Core Values of the Environmental Commission

Required to accomplish our Mission are four paramount values representing the core of what the Commission stands for as an institution:

- Independence
- Integrity
- Fairness
- Quality Service

Chairman: H.H Chateram Sinanan

Deputy Chairman: H.H Sunil Sookraj

Registrar: Ms. Gizel Thomas-Roberts

Where the Commission spends its money

2017-2018 Estimates of Expenditure

The budget allocation for the Environmental Commission is comprised of:

- The Draft Estimates of Recurrent Expenditure in the sum of **\$7,989,000.00**.

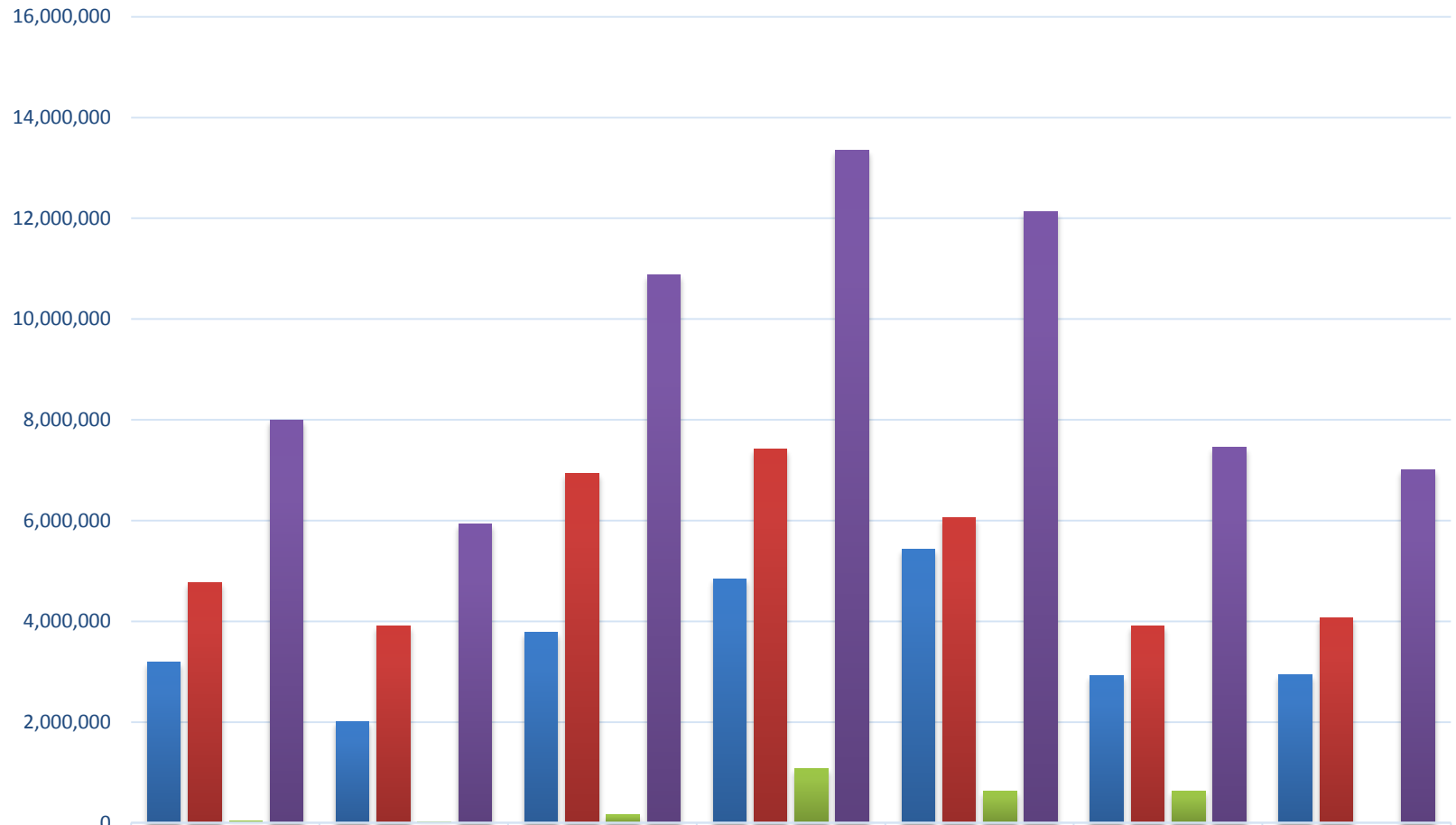
The Estimates of Recurrent Expenditure include:

- 01 Personnel Expenditure - **\$3,190,600.00**;
- 02 Goods and Services - **\$4,769,000.00**; and
- 03 Minor Equipment Purchases - **\$29,400.00**.

The Environmental Commission's total allocation as a percentage of the total Recurrent Expenditure is **0.015%**.

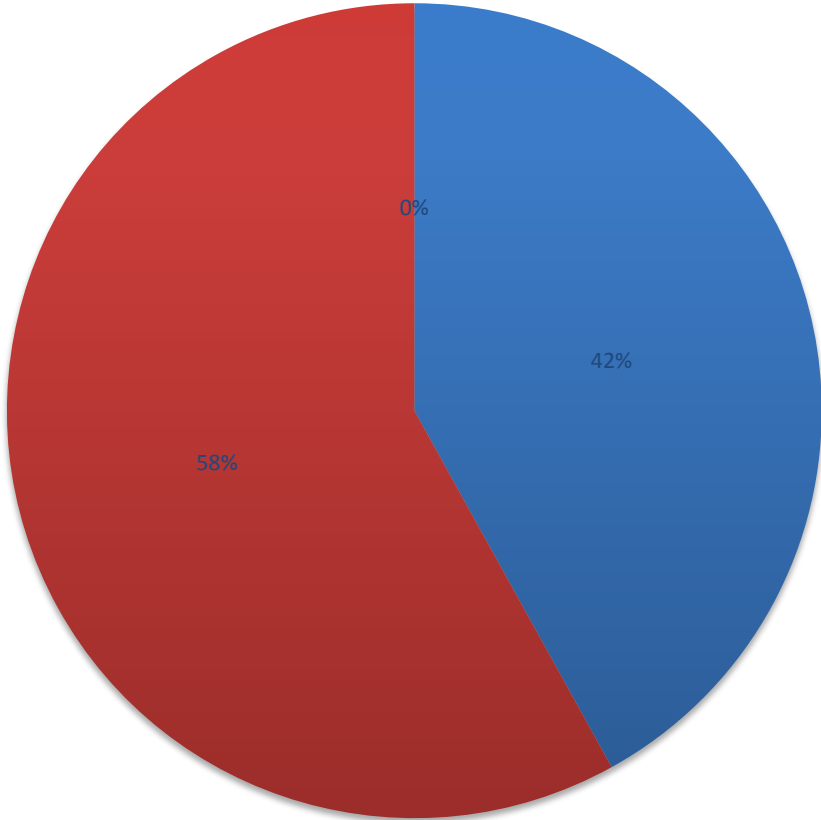
Summary of Recurrent Expenditure for the period 2012-2018

Environmental Commission



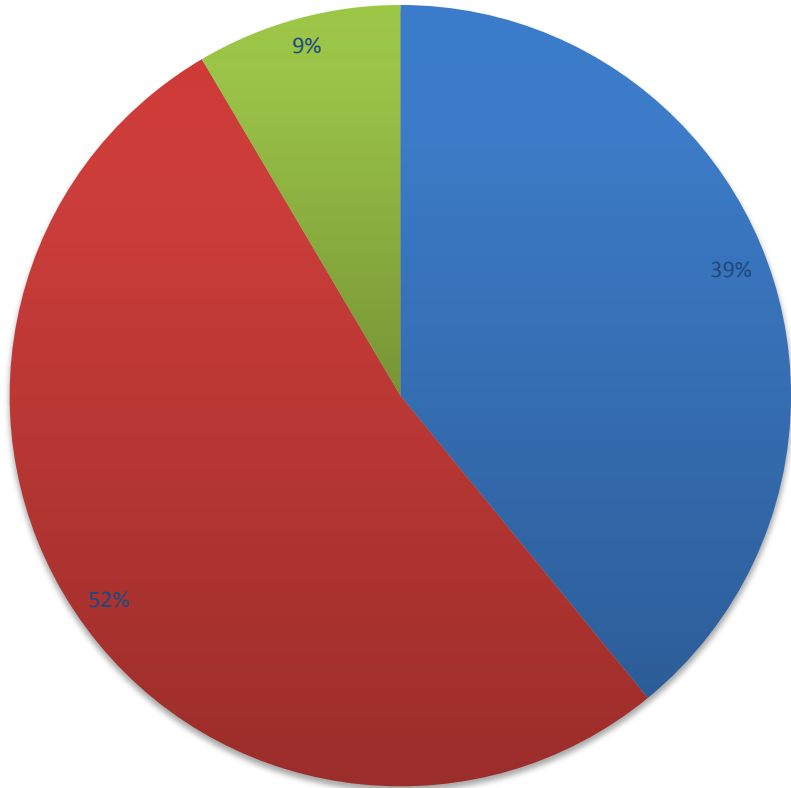
| | 2018 Estimates | 2017 Revised Estimates | 2016 Actual | 2015 Actual | 2014 Actual | 2013 Actual | 2012 Actual |
|------------------------------|----------------|------------------------|-------------|-------------|-------------|-------------|-------------|
| 01 Personal Expenditure | 3,190,600 | 2,003,340 | 3,784,371 | 4,844,887 | 5,434,853 | 2,915,555 | 2,941,118 |
| 02 Goods and Services | 4,769,000 | 3,907,160 | 6,926,590 | 7,424,447 | 6,064,993 | 3,911,297 | 4,069,052 |
| 03 Minor Equipment Purchases | 29,400 | 24,240 | 161,693 | 1,076,361 | 629,809 | 632,950 | 0 |
| Total | 7,989,000 | 5,934,740 | 10,872,654 | 13,345,695 | 12,129,655 | 7,459,802 | 7,010,170 |

2012 Actual



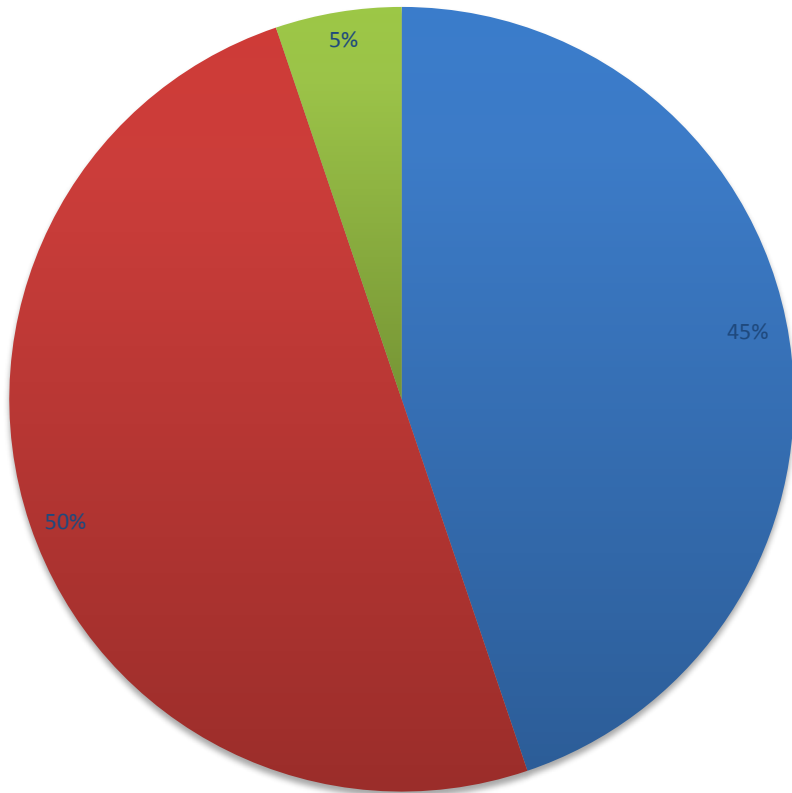
01 Personal Expenditure 02 Goods and Services 03 Minor Equipment Purchases

2013 Actual



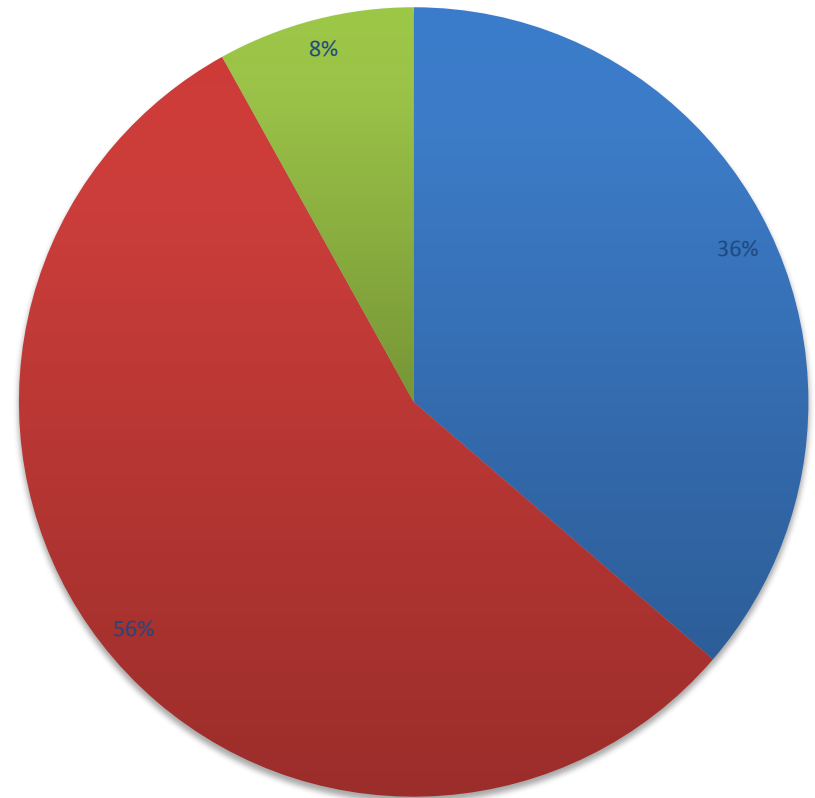
01 Personal Expenditure 02 Goods and Services 03 Minor Equipment Purchases

2014 Actual



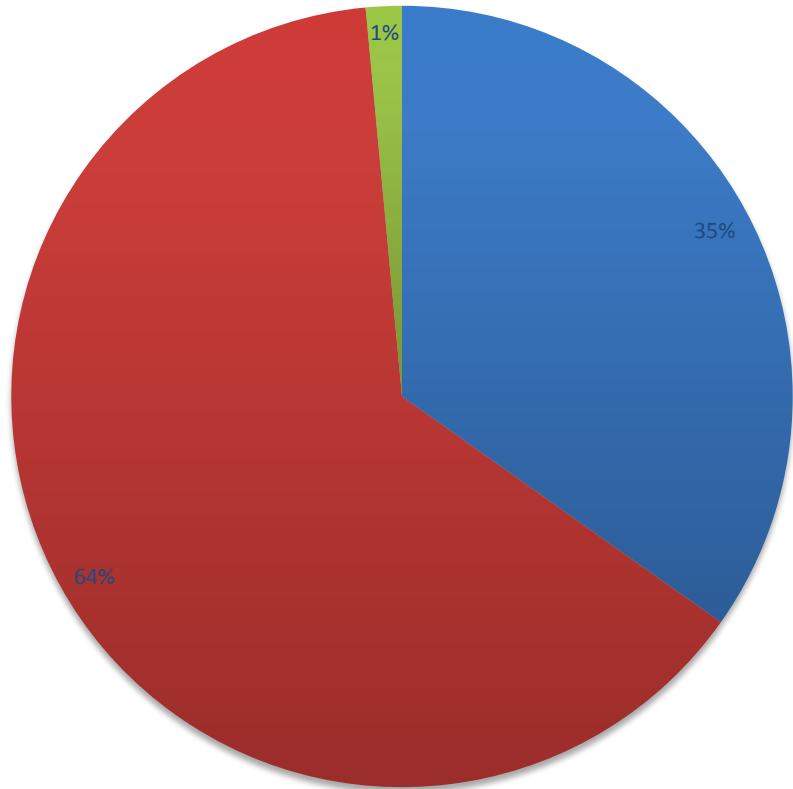
■ 01 Personal Expenditure ■ 02 Goods and Services ■ 03 Minor Equipment Purchases

2015 Actual



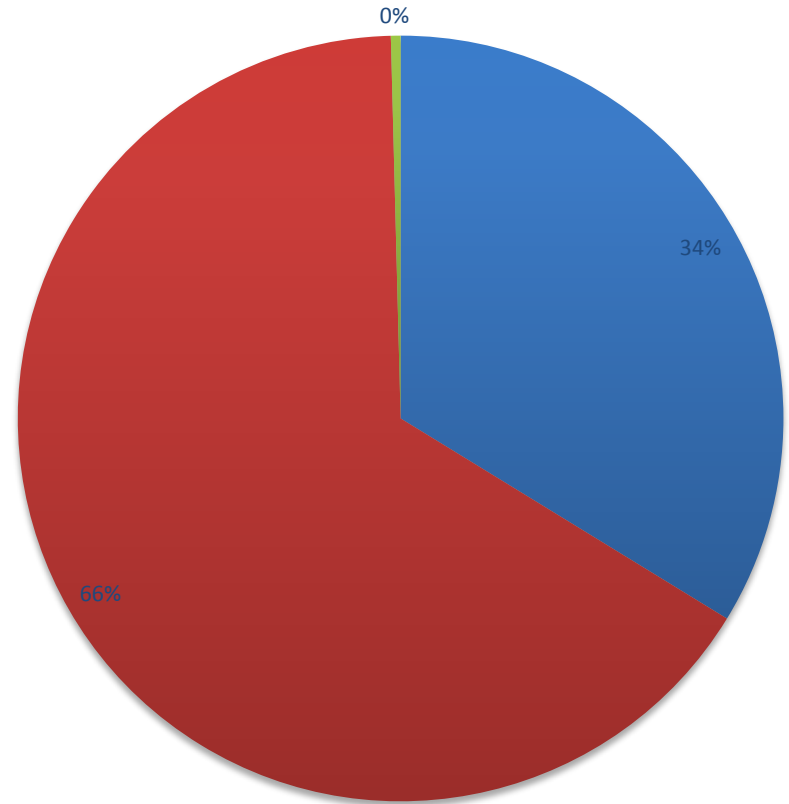
■ 01 Personal Expenditure ■ 02 Goods and Services ■ 03 Minor Equipment Purchases

2016 Actual



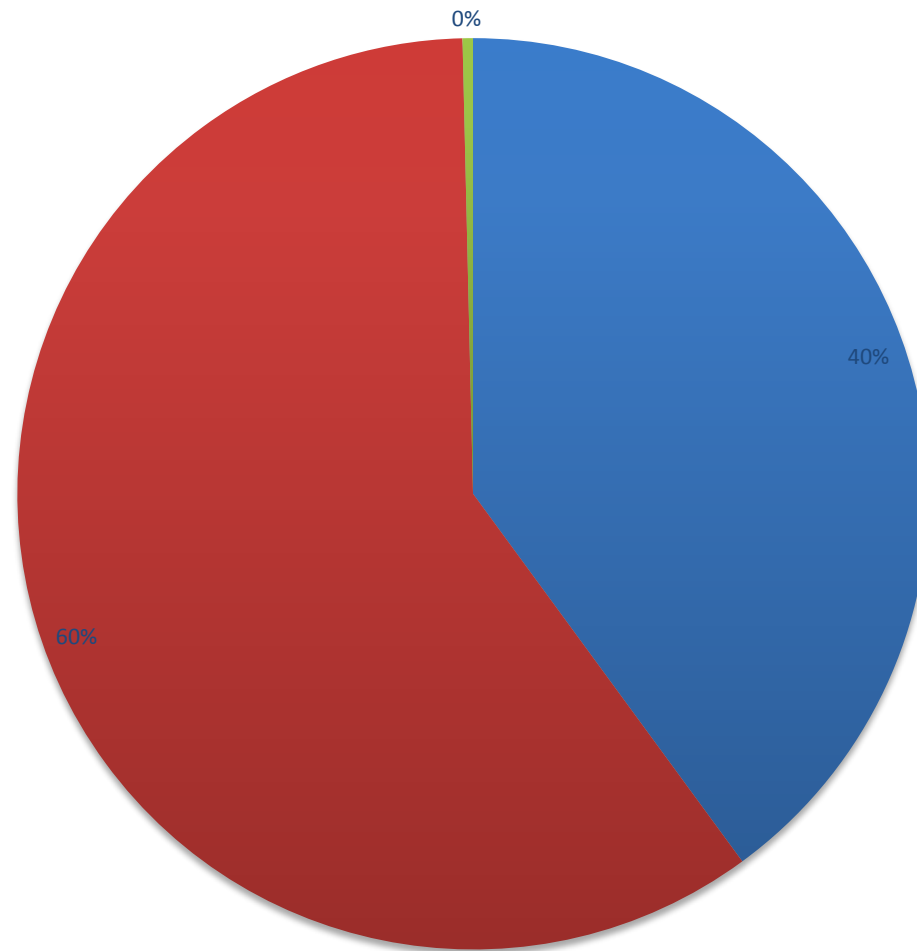
■ 01 Personal Expenditure ■ 02 Goods and Services ■ 03 Minor Equipment Purchases

2017 Revised Estimates



■ 01 Personal Expenditure ■ 02 Goods and Services ■ 03 Minor Equipment Purchases

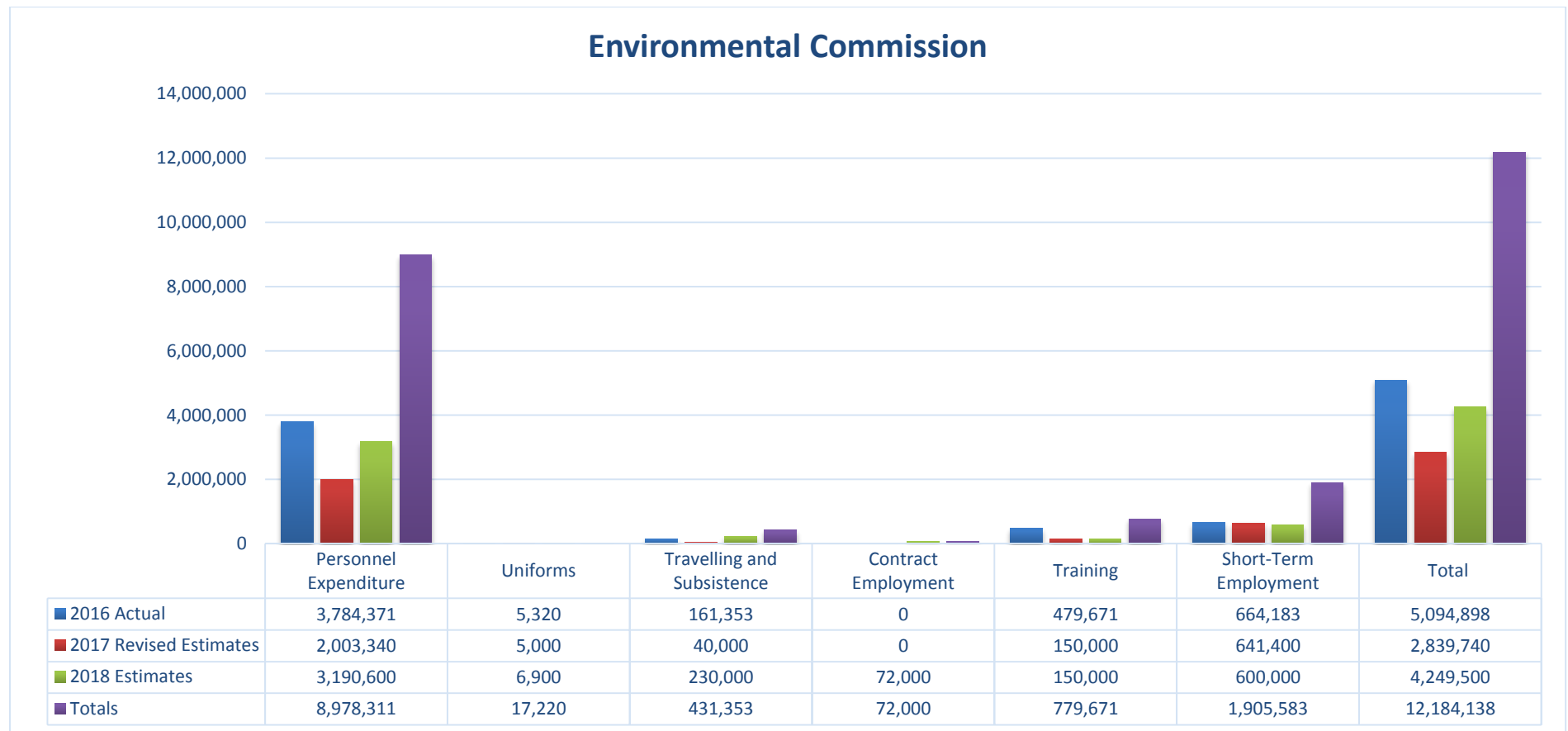
2018 Estimates



■ 01 Personal Expenditure ■ 02 Goods and Services ■ 03 Minor Equipment Purchases

Staff and Pay³

The Environmental Commission received an allocation of approximately \$7,989,000 (Recurrent Expenditure) for the period 2017/2018. The allocation of staff expenditure for the fiscal year 2018 is \$4,249,500.00 which is approximately 53.2% of the allocation for fiscal year 2018. The diagram below provides a breakdown of all expenditure related to staff from 2016-2018.



³ Draft Estimates for Details of Estimates of Recurrent Expenditure for the Financial Year 2018 <http://www.finance.gov.tt/wp-content/uploads/2017/10/Numbered-Draft-Estimates-Recurrent-Expenditure-2018.pdf>

Analysis and Summary of Expenditure

Recurrent Expenditure refers to the payments for expenses which are incurred during the day-to-day operations of the Commission for Personnel Expenditure, Goods and Services and Minor Equipment Purchases.

- Recurrent Expenditure for Fiscal Year 2017/2018 is **\$7,989,000**. This represents **0.02%** of the total Recurrent Expenditure for the financial year 2017/2018.
- Recurrent Expenditure for fiscal year 2016/2017 was **\$ 5,934,740 (revised)**. Comparing this figure with fiscal year 2017/2018, there is an increase of **\$ 2,054,260** or **35%**.
- The **largest** portion of the Commission's allocation has consistently gone to Sub-Head 02 **Goods and Services** with an average of **58%** over the seven (7) year period.
- For 2017/2018, the Personnel Expenditure is approximately **40%** of the Commission's total recurrent allocation.
- **Minor Equipment Purchases** as a percentage of the Commission's Recurrent Expenditure over the 2012 to 2018 period has been minimal.
- The actual/estimated expenditure for the three (3) Sub-Heads has been fluctuating over the seven (7) year period, from a low of **\$5,934,740.00** in 2017 to a high of **\$13,345,695.00** in 2015.

The Commission's total allocation as a percentage of the National Budget for the period 2012 to 2018

| Year ⁴ | Total Allocation ⁵ | National Budget ⁶ | Percentage of National Budget |
|-------------------|-------------------------------|------------------------------|-------------------------------|
| 2012 | \$7,010,170.00 | \$55,718,271,573.00 | 0.01% |
| 2013 | \$7,459,802.00 | \$59,174,226,196.00 | 0.01% |
| 2014 | \$12,808,883.00 | \$65,020,886,424.00 | 0.02% |
| 2015 | \$13,771,190.00 | \$61,966,922,675.00 | 0.02% |
| 2016 | \$10,872,654.00 | \$56,573,913,053.00 | 0.02% |
| 2017 | \$5,934,740.00 | \$55,598,436,912.00 | 0.01% |
| 2018 | \$7,989,000.00 | \$54,955,041,591.00 | 0.01% |

- Total allocation for the Commission as a percentage of the National Budget has remained constant at **0.01%** between the period 2016/2017 and 2017/2018.

⁴ For the Fiscal Years 2012-2016, actual figures were used to calculate the Board's total allocation. However, estimates were used to determine the Board's total allocation for the Fiscal Years 2017 and 2018.

⁵ Total Allocation for the Public Service Appeal Board = Recurrent Expenditure.

⁶ The National Budget = Total Recurrent Expenditure + Total Development Programme Consolidated Fund.

Committee Reports Related to the Environmental Commission

FIRST REPORT OF THE PUBLIC ADMINISTRATION AND APPROPRIATIONS COMMITTEE

An Inquiry into the Current Expenditure of Ministries and Departments under three (3) Sub-Heads: Current Transfers and Subsidies, Development Programme – Consolidated Fund and Infrastructure Development Fund.

| Recommendation No. | Report Recommendations | Ministerial Responses | Area requiring funding or follow-up |
|--------------------|--|--|--|
| 1 | Take immediate steps to commence using the Government's Communication Backbone and Electronic Document Management System. | <p>(a) With respect to the backbone connectivity, the Commission has been informed by iGovTT that there are currently no available GovNeTT kits.</p> <p>(b) iGovTT has promised to source a kit not currently in use by another Ministry. This will be re-allocated and re-configured to fit the needs of the Commission.</p> <p>(c) To this effect, we have written to the CEO of iGovTT, to facilitate the process mentioned supra.</p> <p>(d) With respect to the Government Electronic Document System, the Commission's response from our iGovTT representative is that there is at this time no deployment or standard for a Government wide EDMS solution. This has resulted in different ministries and agencies currently selecting solutions that are 'best-fit' for their organisation.</p> | Securing GovNeTT kit and an Electronic Document Management System. |
| 2 | The Accounting Officer of the Environmental Commission must ensure that there is in-house capacity to monitor and evaluate the implementation of projects. | <p>(a) The Commission proposes to approach the Public Management Consulting Division (PMCD) with respect to this and other staffing issues.</p> | Staffing need |

| <i>Recommendation No.</i> | <i>Report Recommendations</i> | <i>Ministerial Responses</i> | <i>Area requiring funding or follow-up</i> |
|---------------------------|-------------------------------|--|--|
| | | <i>(b) The Commission may hire someone on a short term contract basis to evaluate projects of this nature in the future. However, the team comprising the Legal Research Counsel, Administrative Officer and the Registrar and one other officer shall continue to monitor and evaluate projects prior to the Internal and External Auditor's input.</i> | |

FOURTH REPORT OF THE PUBLIC ADMINISTRATION AND APPROPRIATIONS COMMITTEE

An Inquiry into System of Internal Audit within the Public Service

| <i>Recommendation No.</i> | <i>Report Recommendations</i> | <i>Ministerial Responses</i> | <i>Area requiring funding or follow-up</i> |
|---------------------------|---|------------------------------|---|
| 1 | The Comptroller of Accounts should review the auditing arrangement for the Tax Appeal Board, Environmental Commission, Public Service Appeal Board and the Equal Opportunity Tribunal to allow for a more cohesive and efficient internal audit function among the institutions and provide a status update to the Committee on this review by November 30, 2017. | <i>Awaiting Response</i> | More cohesive and efficient internal audit function |

General Useful Information

- Ministry of Environment, Forest and Climate Change – Government of India <http://envfor.nic.in/>
- Federal Ministry for the Environment, Nature Conservation, Building and Nuclear Safety – Germany <https://www.bmub.bund.de/en/>
- Commission for Environmental Cooperation – Canada <http://www.cec.org/>