

FORM A (Section 4, First Schedule)

The Access to Information (ATI) Act, 2002

Statement of Organization and Functions of Public Authority

NAME OF PUBLIC AUTHORITY: [Ministry of Industry, Investment & Commerce](#)

NAME & TITLE OF PRINCIPAL OFFICER: Mrs. Sancia Bennett Templer
Permanent Secretary

PRINCIPAL LOCATION: 4 St. Lucia Avenue, Kingston 5

HOURS OF BUSINESS: Mondays –Thursdays 8:30 a.m. – 5:00 p.m.
Fridays 8:30 a.m. – 4:00 p.m.
Closed on weekends & Public Holidays

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DESCRIPTION OF SUBJECT AREAS/ PORTFOLIO RESPONSIBILITIES OF PUBLIC AUTHORITY:

Subject areas attached to the Ministry of Industry, Investment & Commerce are as follows;

SUBJECTS:

The Ministry of Industry, Investment & Commerce's Portfolio:

- Agro Business
- Anti-Dumping
- Charities Act
- Charitable Organizations
- Commercial Business
- Commodity Supplies
- Companies Act
- Consumer Affairs
- Co-operatives and Friendly Societies Act
- Copyright Act
- Customs Duties (Dumping and Subsidies) Act
- Design Act
- Distributive Trade
- Fair Competition
- Film and Motion Pictures
- Food Storage and Prevention of Infestation
- Hire Purchase
- Import and Export Licensing
- Industrial Apprenticeship
- Industrial Development
- Investment Promotion
- Manufacturing
- Marketing and Advertising
- Merchandise Marks Act
- Metrification
- Nuclear Safety and Radiation Protection
- Patents
- Registration of Business Names
- Small Business Development
- Standards
- Trade Act
- Trade Marks Act
- Weight and Measures

AGENCIES & EXTERNAL DEPARTMENTS & DIVISIONS:

- **Anti-Dumping and Subsidies Commission (ADSC)**
Subject Matter: Anti Dumping Measures
- **Bureau of Standards (BSJ)**
Subject Matter: Metrication, Standards, Weights and Measures

- **Cannabis Licensing Authority (CLA)**
Subject Matter: Regulation of the Legal Cannabis Industry
- **Companies Office of Jamaica (COJ)**
Subject Matter: The Companies Act, Registration of Business Name Act, Commercial Business
- **Consumer Affairs Commission (CAC)**
Subject Matter: Consumer Affairs, Distributive Trade
- **Department of Cooperatives and Friendly Societies (DCFS)**
Subject Matter: Co-operatives and Friendly Societies, Charities Act, Charitable organizations, Agro Business
- **Fair Trading Commission (FTC)**
Subject Matter: Fair Competition Act, Hire Purchase
- **Food Storage and Prevention of Infestation Division (FSPID)**
Subject Matter: Food Storage and Prevention of Infestation
- **Hazardous Substances Regulatory Authority (HSRA)**
Subject Matter: Nuclear Safety and Radiation Protection
- **Jamaica Business Development Centre (JBDC)**
Subject Matter: Small Business Development
- **Jamaica Intellectual Property Office (JIPO)**
Subject Matter: Copyright Act, Design Act, Intellectual Property, Merchandise Marks, Patents, Trademarks
- **Jamaica International Financial Services Authority (JIFSA)**
Subject Matter: International Financial Services
- **Jamaica National Agency for Accreditation (JANAAC)**
Subject Matter: Standards
- **Jamaica Promotions Corporation/ Jamaica Trade and Invest (JAMPRO)**
Subject Matter: Investment Promotion, Film and Motion Pictures, Marketing & Advertising
- **Jamaica Special Economic Zone Authority (JSEZA)**
Subject Matter: Investment Promotion
- **Micro Investment Development Agency (MIDA)**
Subject Matter: Wholesale Lending to Small Businesses

- **National Export-Import Bank of Jamaica (EXIM Bank)**

Subject Matter: Trade Financing

- **National Compliance and Regulatory Authority (NCRA)**

Subject Matter: Standards, Consumer Protection

- **Office of the Government Trustee (OGT)**

Subject Matter: Bankruptcy

- **Office of the Supervisor of Insolvency (OSI)**

Subject Matter: Insolvency

- **Trade Board Limited**

Subject Matter: Import and Export Licensing, The Trade Act

LIST OF INTERNAL MANUALS/ DOCUMENTS:

(Including manuals and/or other documents containing interpretations, rules, guidelines etc and/or documents used for making decisions or recommendations under the ATI Act or for the purposes of an enactment or scheme administered by the Authority)

MINISTRY OF INDUSTRY, INVESTMENT & COMMERCE (MIIC)

Name of Document	Purpose of Document
Public Bodies Management and Accountability Act & Regulations	Provides a legal framework for good corporate governance and increase in the efficiency and accountability of public bodies.
Access to Information Act, 2002	Provides members of the public with a general right of access to official documents.
Secrets Act	Serves as a safeguard against any possible misuse or willful disclosure of sensitive or classified information created by or communicated to the Government of Jamaica for the execution of its functions.
Financial Administration & Audit Act, Regulations & Instructions	Provides for operations and procedures relating to the Consolidated Fund, the administration of expenditure, audit, Government accounts, responsibilities of Accountable Officers, custody and control of Government property.

Civil Service Establishment (General) Order and the Civil Service Establishment (General) (Amendment) Order	Stipulate the salary scales, posts and allowances within the civil service and the public sector.
Public Service Regulations, 1961 and Delegation of Functions	Stipulates the legal terms of employment, conditions of service and terms of separation for civil service employees.
Labour Relations and Industrial Disputes Act	Provides the legal framework for good labour relations as well as possible actions of recourse and redress in case of disputes.
Staff Orders for the Public Service, 2004	Provides guidelines for staffing operations and conditions of service for public sector employees.
Ministry of Industry, Investment & Commerce Corporate/Strategic Plan	A three year strategic plan which outlines the major strategies of the Ministry to achieve its assigned Government of Jamaica (GoJ) priority objectives.
Ministry of Industry, Investment & Commerce Operational Plans	Outlines the plans and activities of the respective Divisions/Departments of the Ministry in a bid to achieve the overall goals of the Ministry.
Motor Vehicle Policy for the Public Sector	Outlines the conditions for assignment of motor vehicles, duty concessions, management and disposal of fleet vehicles.
Government Procurement Legislations, Regulations, Manuals & Procedures Handbook	Contains the applicable laws and procedures which must be adhered to by every public body which seeks to engage in a procurement or contract award activities.
GOJ Policy on Public Sector Procurement	The objective of this policy is to maximize procurement proficiency and economy by ensuring fairness, integrity and public confidence in government procurement procedures.
ISO 9001 Quality Systems Standard, Scope, Policy, Procedures & Processes	Outlines the quality systems requirements and practices in place in the Ministry.

AGENCIES & EXTERNAL DEPARTMENTS & DIVISIONS

- **Anti-Dumping and Subsidies Commission (ADSC)**

Safeguard Act, 2001

Provides the remit for the ADSC to investigate whether increased imports of an investigative product have caused serious injury to the domestic industry.

Customs Duties (Dumping and Subsidies) Act, 1999

Sets out the general investigation process and provides for the imposition of anti-dumping and countervailing duties.

- **Bureau of Standards (BSJ)**

CARICOM Regional Organization for Standards and Quality Act

Provides the legal framework, in which the BSJ formulates, promotes and implements standards for goods, services and processes as well as develops technical regulations for those commodities and practices which affect health and safety.

The Weights and Measures Act, 1976

The Standards Act, 1968

The Processed Food Act, 1959

- **Cannabis Licensing Authority (CLA)**

Dangerous Drug (Amendment) Act (DDA), 2015

Provides the legal framework for the CLA to establish and regulate Jamaica's legal ganja and hemp industry through the issuing of licences, permits and authorizations for the cultivation, processing, distribution, sale and transportation of ganja for medical, scientific and therapeutic purposes.

Dangerous Drugs (Cannabis Licensing) (Interim) Regulations, 2016

- **Companies Office of Jamaica (COJ)**

Companies Act, 2004

Provides the legal framework whereby the COJ registers and monitors the compliance of local and overseas companies, and individuals carrying on business in Jamaica.

Business Name Act, 2007

Industrial and Provident Societies Act, 1903

- **Consumer Affairs Commission (CAC)**

Sale of Goods Act, Hire Purchase Act, Trade Act, Fair Competition Act, Food and Drugs Act, Pharmacy Act, Public Health Act, Pesticides Act, Petroleum Quality Control Act, National Resources Conservation Authority Act, Rent Restriction Act, Food Storage Act, Processed Food Act

Provides the legal framework for the protection of consumers' interest.

- **Department of Cooperatives and Friendly Societies (DCFS)**

Cooperatives Societies Acts & Regulations, Friendly Societies Act, Industrial & Provident Societies Act, Agricultural Loan Societies & Approved Organization Act, 2017, Charities Act, Established Cooperatives Societies Rules & Policies

Mandates the Department to oversee the functions of these Societies by ensuring the safety of the Societies' assets, the protection of members' savings and investments and the protection of other stakeholders' interests.

- **Fair Trading Commission (FTC)**

Fair Trading Competition Act and Regulations

Provides the legal framework for investigations in relation to the conduct of businesses in Jamaica to determine if any enterprise is engaging in practices that are in contravention of the Act such as anti-competitive practices.

- **Food Storage and Prevention of Infestation (FSPID)**

Food Storage and Prevention of Infestation Act, 1958 and Regulations, 1973

Legally empowers the FSPID to ensure the safety and wholesomeness of all food and feed entering commerce in Jamaica.

- **Hazardous Substances Regulatory Authority (HSRA)**

Nuclear Safety and Radiation Protection Act, 2015 and Regulations 2019

The Act applies to: possession, acquisition, production, manufacture, processing, transfer, development, handling, storage, import, export or disposal of natural and artificial radioactive material, nuclear material, ionizing radiation apparatus and devices emitting ionizing radiation. The Act also applies to construction of facilities that will use ionizing radiation. As such, the Authority's mandate is focused primarily on the protection of people, property and the environment from the harmful effects of ionizing radiation.

- **Jamaica Business Development Corporation (JBDC)**

JBDC was established as one of the premier business support organizations in Jamaica and is a cooperative arrangement among government agencies and the private sector, associations, academic and research communities. JBDC provides business advice, consultancy and training to small businesses.

- **Jamaica Intellectual Property Office (JIPO)**

The Jamaica Intellectual Property Office Act, The Trade Marks Act, 1999, Trade Marks Rules, 2001, Patent Act, Copyright Act, Copyright Regulations, The Geographical Indications Act, The Designs Act, The Layout-Design (Topographies Act)

Provides the legal framework for JIPO to administer intellectual property systems in Jamaica and enhance the development and protection of intellectual property rights in Jamaica.

- **Jamaica International Financial Services Authority (JIFSA) Act**

Jamaica International Financial Services Authority Act, 2011

This Act establishes a body to be known as the Jamaica International Financial Services Authority (JIFSA) for the promotion and development of Jamaica as a centre for international financial services; and other related matters.

- **JANAAC**

JANAAC was established as a result of a Cabinet Decision in September 2006 and was incorporated in March 2007 as a Company Limited by Guarantee under the Companies Act of Jamaica to facilitate trade between Jamaica and its trading partners by enabling Jamaica's conformity assessment system to meet international standards and the WTO's agreements.

- **Jamaica Promotions Corporation/ Jamaica Trade and Invest (JAMPRO)**

Jamaica Promotions Corporation Act, 1990

Provides the legal framework for JAMPRO to facilitate and promote investment, export and trade in the island.

- **Jamaica Special Economic Zone Authority (JSEZA)**

SEZ Act, 2016, SEZ Regulations 2017,
SEZ White Paper Policy 2015,
Fees Regulation 2018

Seeks to regulate and supervise SEZs through the administration, issuance of guidelines and directions to developers, occupants and zone users in relation to the SEZ Act.

- **Micro Investment Development Agency (MIDA)**

The Micro Investment Development Agency (MIDA) was established in 1991 as a limited liability company to assist the Government of Jamaica in taking a focused approach to the development of the micro enterprise sector.

MIDA has a mandate to promote sustainable growth in the micro enterprise sector through the provision of financing and financial services.

- **National Export-Import Bank of Jamaica (EXIM Bank)**

The National Export-Import Bank of Jamaica (EXIM Bank) is Jamaica's premier trade financing institution and the Caribbean's first Export-Import Bank. It plays a fundamental role in national development by providing a wide range of financing instruments at competitive interest rates for the country's productive sector. It aims to assist in the growth of this sector and to contribute to the development of the wider national economy.

- **National Compliance & Regulatory Authority (NCRA)**

The Standards Act (1968), Weights and Measurement Act (1976), Processed Food Act (1959), Petroleum Quality Control Act (1990), Trade Act (1995), and their attendant Regulations

Mandates the NCRA to protect consumers in accordance with the provisions of these Acts and Regulations.

- **Office of the Government Trustee (OGT)**

The Insolvency Act 2014, Insolvency Regulations, 2015, Bankruptcy Act 1880

Mandates the OGT to assist debtors, assess their financial position and prepare and file applications with the Supervisor of Insolvency for their implementation of the proposals or the administration in Bankruptcy on debtors' behalf.

- **Office of the Supervisor of Insolvency (OSI)**

The Insolvency Act, 2014, Insolvency Regulations & Rules, 2015

Seeks to create an environment which aids in the rehabilitation of debtors and the preservation of viable companies, having due regard to the protection of the rights of creditors and other stakeholders; and fair allocation of costs of insolvency proceedings, with the overriding interest of strengthening and protecting Jamaica's economic and financial system and financial system and the availability and flow of credit within the economy.

- **Trade Board Limited**

Trade Act

Mandates the Trade Board to issue import and export licences for specific items that impact negatively on the environmental, social and economic conditions of the country as well as to issue certificates of origin for Jamaican exports under various Preferential Trade Agreements. The Trade Board is also mandated to ensure that Jamaica meets its international obligations under the following: World Trade Organisation (WTO) Agreement on Rules of Origin and the WTO Agreement on Import Licensing.
