

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:**

**Mr. Vivian E. Brown
Permanent Secretary**

PRINCIPAL LOCATION:

4 St. Lucia Avenue, Kingston 5

HOURS OF BUSINESS:

Mondays –Thursdays 8:30 a.m. – 5:00 p.m.
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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
- Building Inspection
- Commercial Business
- Commodity Supplies
- Companies Act
- Consumer Affairs
- Co-operatives and Friendly Societies
- Copyright Act
- Customs Duties (Dumping and Subsidies) Act
- Design Act
- Distributive Trade
- Factory Construction
- Fair Competition Act
- Food Storage and Prevention of Infestation
- Free Zone Development
- Hire Purchase
- Import and Export Licensing
- Industrial Apprenticeship
- Industrial Development
- Intellectual Property
- Investment Promotion
- Manufacturing
- Marketing and Advertising
- Merchandise Marks
- Metrification
- Patents
- Registration of Business Names Act
- Small Business Development
- Standards
- Trade Act
- Trade Marks
- Weight and Measures
- Work Permits

AGENCIES & EXTERNAL DEPARTMENTS & DIVISIONS:

- **Anti-Dumping and Subsidies Commission (ADSC)**
Subject Matter: Anti Dumping Measures
- **Bureau of Standards (BSJ)**
Subject Matter: Metrification, Standards, Weights and Measures
- **Companies Office of Jamaica (COJ)**
Subject Matter: The Companies Act, Registration of Business Name Act

- **Consumer Affairs Commission (CAC)**

Subject Matter: Consumer Affairs

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

Subject Matter: Co-operatives and Friendly Societies

- **Factories Corporation of Jamaica (FCJ)**

Subject Matter: Factory Construction

- **Fair Trading Commission (FTC)**

Subject Matter: Fair Competition Act

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

Subject Matter: Food Storage and Prevention of Infestation

- **Jamaica Business Development Corporation (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: Accreditation of Laboratories to International Standards.

- **Jamaica Trade and Invest (JAMPRO)**

Subject Matter: Investment Promotion

- **Kingston and Montego Bay Free Zones**

Subject Matter: Free Zone Development

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

Subject Matter: Wholesale Lending to Small Businesses

- **Self Start Fund (SSF)**

Subject Matter: Micro Lending to Micro & Small Entrepreneurs & Businesses

- **Trade Board Limited**

Subject Matter: Import and Export Licensing, The Trade Act, Trade in Services

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)

Policies that Currently Guide Operations:

Purpose:

Consumer Protection Policy

Provides for the promotion and protection of consumer interests in relation to the supply of goods and the provision of services in order to ensure protection of life, health, welfare and safety of consumers and others. It also provides for the establishment of a Consumer Affairs Commission.

Motor Vehicle Policy
(Ministry Paper 13, 1995) (Ministry Paper 13, 1998)
(Ministry Paper 19, 1998)

This policy provides for the importation & sale of motor vehicles, inspection and regulations of the sale of motor vehicles on the domestic market.

National Quality Infrastructure Policy

The objective of the policy is to facilitate the promotion of quality and productivity through training, funding, public education programmes, etc.

Development of an Entrepreneurship Culture

To provide a policy framework and the necessary institutional support to develop enterprise skills in young people and to encourage the creation of new and innovative enterprises in order to achieve economic growth and increased productivity.

Development of Value Added Products

To provide the policy framework and institutional support to encourage the use of adaptative technology/research and development in order to facilitate the process of product innovation and material research in relation to natural resources – fibres, clays, fruits, herbs - and creative efforts in software development in order to exploit new and emerging business opportunities.

Policies that Currently Guide Operations:	Purpose:
Encouragement of Export Industries	To provide the policy framework and policy interventions to promote continued expansion of exports through the growth of existing competitive industries in tradable goods and services as well as diversification into new competitive industries.
Free Zone and Office Space	To facilitate the delivery of competitive investment and export expansion through the provision of ready factory and office space for activities in targeted sectors – ITC, light manufacturing agro processing - and in aiding such firms to benefit from reduced transaction costs through agglomeration of support services and resources.
Investment Facilitation	To contribute to an appropriate framework for investment by ensuring that the business environment is more business friendly, efficient and competitive particularly in terms of the turnaround period for the approval process of investment applications.
Modernisation of Industry	To ensure that the policy framework and the policy interventions encourage firms to engage in the retooling of plant and equipment, technological upgrading and modernization of processes and that the institutional support is provided to firms seeking and requiring technical assistance in their operations.
Strengthening of SME Sector	To provide an environment that is conducive to micro and small enterprise development in order to assist in the growth and competitiveness of these firms and the employment and export opportunities they provide training, financing, technical assistance and business development services are critical support measures to the thrust.
Government Concession for the U-Drive Industry	The U-Drive sub-sector also benefits by importing/purchasing vehicles duty free. All applications are processed through a special committee and recommendations are made to the Ministry of Finance for final approval.

Other Documents:

Purpose of Documents:

Public Bodies Management and
Accountability Act & Regulations

Seeks to assist in good corporate governance and increase 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

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
2001 and the Civil Service Establishment
(General) (Amendment) Order 2001

Stipulates the salary scales, posts and allowances within the civil service and the public sector.

Public Service Regulations and Delegation of
Functions, 1961

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 issues to be addressed by the Ministry of Industry, Investment and Commerce and other stakeholders to achieve the Government of Jamaica's priority objectives.

Other Documents:

Ministry of Industry, Investment & Commerce
Operational Plan

Motor Vehicle Policy for the Public Sector

Government Procedures Procurement
Handbook

GOJ Policy on Public Sector Procurement

Public Sector Memorandum of Understanding

Purpose of Documents:

Outlines the activities of the respective Divisions/Departments of the Ministry of Industry, Investment and Commerce in a bid to achieve the overall goals of the Ministry.

Outlines the conditions for assignment of motor vehicles, duty concessions, management and disposal of fleet vehicles.

Contains the applicable procedures which must be strictly adhered to by every Public Body which seeks to engage in a procurement or contract award activity.

The objective of this policy is to maximize procurement proficiency and economy by ensuring fairness, integrity and public confidence in government procurement procedures.

An agreement between the government of Jamaica and the Jamaica Confederation of Trade Unions. Its objective is to provide a peaceful and harmonious labour relations climate, which will provide a stable economic environment for Public Sector employees.

AGENCIES & EXTERNAL DEPARTMENTS

▪ Anti-Dumping and Subsidies Commission (ADSC)

Safeguard Act, 2001

Provides 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

The Weights and Measures Act, 1976

The Standards Act, 1968

The Processed Food Act, 1959

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

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

Companies Act, 2004

Business Name Act, 2007

Industrial and Provident Societies Act, 1903

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

▪ **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, Established Cooperatives Societies Rules & Policies

Mandates the Department to ensure the safety of the Societies' assets, the protection of Members' savings and investments and the protection of other stakeholders' interests.

▪ **Factories Corporation of Jamaica (FCJ)**

Factories Corporation Internal Policies and Procedures Manual

Used to regulate the operations of the entity.

▪ **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.

▪ **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)**

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.

- **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.

- **Kingston and Montego Bay Free Zones**

Jamaica Export Free Zones Act The Jamaica Export Free Zones Act provides an incentive and regulatory framework for the operation of Free Zones in Jamaica. The Act empowers the Minister to designate certain areas in Jamaica as Free Zones; these two designated areas are Kingston Free Zone and Montego Bay Free Zone.

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

MIDA Accounting Manual States the accounting policies and procedures for Community Development Funds (CDFs).

- **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.