



TRINIDAD AND TOBAGO SECURITIES AND EXCHANGE COMMISSION

**In The Matter of a Contravention of Section 64 (3) of the Securities Industry
Act No. 32 of 1995**

By Nestle Trinidad and Tobago Limited

And

**In The Matter of A Proposed Settlement Agreement Pursuant To
Part VIII of Securities Industry (Hearings and Settlements)
Practice Rules, 2008 ("the Rules")**

ORDER OF THE COMMISSION

Dated this 12th day of April, 2011

WHEREAS Nestle Trinidad and Tobago Limited ("**the Respondent**") filed a copy of its Amended Registration Statement with the Trinidad and Tobago Securities and Exchange Commission ("**the Commission**"), on **February 2, 2010** past the due date of **September 20, 2009**, for the year 2009;

AND WHEREAS by Notice of Contravention No. S.I 57 of 2010 dated August 19, 2010 the Commission advised the Respondent that it was in contravention of Section 64(3) of the Securities Industry Act, 1997 ("**the Act**") by filing a copy of a copy of its Amended Registration Statement with the Commission, on **February 2, 2010**, past the due date of **September 20, 2009**, for the year 2009;

AND WHEREAS by letters dated **August 23, 2010, September 6, 2010, September 9, 2010, September 16, 2010, October 4, 2010, October 25, 2010, November 1, 2010, November 17, 2010 and November 24, 2010** the Commission and the Respondent entered into settlement discussions to determine whether the matter could be settled;

AND WHEREAS on **January 6, 2011** the Respondent entered into a proposed settlement agreement with the Staff of the Commission which was signed by the duly authorized representative of the Commission for and on behalf of the Commission and the Country Controller of the Respondent for and on behalf of the Respondent ("**the Settlement Agreement**"), in which the parties agreed to a settlement, subject to the approval of the Settlement Panel;

AND WHEREAS the Settlement Panel approved the Settlement Agreement and agreed to submit the said Settlement Agreement to the Commission;

AND WHEREAS the Respondent has agreed to pay the sum of **Twenty Thousand (\$ 20,000.00)** to the Commission;


AND WHEREAS the Commission has considered the Settlement Agreement and is of the opinion that it is in the public interest to make this Order.

IT IS HEREBY ORDERED THAT:

- (a) The procedure outlined under the Securities Industry (Hearings and Settlements) Practice Rules, 2008 has been followed;
- (b) The Respondent has contravened Section 64(3) of the Act and shall pay the sum of **Twenty Thousand (\$20,000.00)** to the Commission within twenty-eight days of the making of this Order as the penalty in this matter; and
- (c) This Order shall be published in the Trinidad and Tobago Gazette and in a daily newspaper.



Deborah Thomas-Felix (Chairman)



Shelton Nicholls (Commissioner)



Marsha K. King (Commissioner)