



TRINIDAD AND TOBAGO SECURITIES AND EXCHANGE COMMISSION
("the Commission")

In The Matter of the Contravention of Section 66 (2) of the Securities Industry Act, 1995
And By-Law 55(1) of the Securities Industry By-Laws, 1997
By West Indian Tobacco Company 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 8th day of February, 2011

WHEREAS West Indian Tobacco Company Limited ("**the Respondent**") filed a copy of its 2009 Interim Financial Statement with the Commission on October 13, 2009, past the due date of August 29, 2009;

AND WHEREAS by Notice of Contravention S.I. No. 199 of 2009 dated December 31, 2009 the Commission advised the Respondent that it was in contravention of Section 66 (2) of the Securities Industry Act, 1997 ("**the Act**") and By-Law 55 (1) of the Securities Industry By-Laws, 1997 ("**the By-Laws**") by filing a copy of its 2009 Interim Financial Statement on October 13, 2009 with the Commission past the due date of August 29, 2009;

AND WHEREAS by letter dated January 21, 2010 the Respondent requested the staff of the Commission to enter into settlement discussions to determine whether the matter could be settled;

AND WHEREAS on the 1st day of December, 2010, the Respondent entered into a proposed Settlement Agreement with the Staff of the Commission which was signed by the General Counsel of the Commission on behalf of the Commission and the Corporate and Legal Affairs Manager of the Respondent 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 Settlement Agreement to the Commission;

AND WHEREAS the Respondent has agreed to pay the sum of five thousand dollars (\$5,000.00) to the Commission as the fine in this matter;

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 66 (2) of the Act and by-Law 55 (1) of the By-Laws.
- (c) Pursuant to section 143 (1) of the Act, the Respondent shall within twenty-eight days of the making of this Order pay to the Commission the sum of \$5,000.00 as the fine in this matter.
- (d) This Order shall be published in the Trinidad and Tobago Gazette and in the daily newspapers.

Dated this 8th day of FEBRUARY, 2011


Deborah Thomas-Felix (Chairman)


Shelton Nicholls (Commissioner)


Marsha K. King (Commissioner)