



**TRINIDAD AND TOBAGO SECURITIES AND EXCHANGE COMMISSION**

**In the Matter of Contraventions of Sections 66 (1) (a) and 66 (2) of the Securities Industry Act, 1995  
and By-Laws 55 (1) and 56 (1)  
of The Securities Industry By-Laws, 1997  
By Jamaica Public Service 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 16<sup>th</sup> day of March, 2010**

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**WHEREAS Jamaica Public Service Company Limited (“the Respondent”) failed to file its:**

- (1) 2008 Annual Report with the Commission on or before April 30, 2009;**
- (2) 2009 Interim Financial Statement with the Commission on or before August 29, 2009; and**

- (3) 2008 audited Comparative Financial Statement with the Commission on or before March 31, 2009.

**AND WHEREAS** by Notices of Contravention S.I. Nos. 66, 67 and 68 of 2009 dated December 23, 2009 the Commission advised the Respondent that it was in contravention of Sections 66 (1) (a) and 66 (2) of the Securities Industry Act, 1995 (“the Act”) and By-Laws 55 (1) and 56 (1) of the Securities Industry By-Laws, 1997 (“the By-Laws”) by failing to file its:

- (1) 2008 Annual Report with the Commission on or before April 30, 2009;
- (2) 2009 Interim Financial Statement with the Commission on or before August 29, 2009; and
- (3) 2008 audited Comparative Financial Statement with the Commission on or before March 31, 2009.

**AND WHEREAS** on the 02<sup>nd</sup> day of March, 2010 the Respondent entered into a proposed settlement agreement with the staff of the Commission which was signed by the General Manager (Ag.) on behalf of the staff of the Commission and the General Counsel and Corporate Secretary 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 thirty thousand dollars (\$30,000.00) for each of the three contraventions, a total sum of ninety thousand dollars (\$90,000.00), 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:**

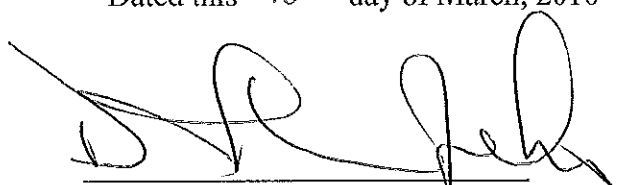
- (a) The procedure outlined under the Securities Industry (Hearings and Settlements) Practice Rules, 2008 has been followed;
- (b) The Respondent has contravened Sections 66 (1) (a) and 66 (2) of the Act and By-Laws 55 (1) and 56 (1) of the By-Laws and that pursuant to section 143 (1) of the Act, that the

*Settlement Agreement Between The Commission and Jamaica Public Service Limited / In The Matter of Rule 61 and Rule 62 of Securities Industry (Hearings And Settlements) Practice Rules, 2008*

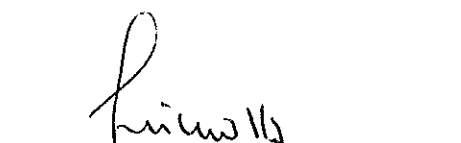
Respondent pay to the Commission, as agent for the Comptroller of Accounts, a fine in the sum of \$30,000.00 for each of the three contraventions within 28 days of the date of this Order, a total sum of \$90,000.00; and

- (a) This Order shall be published in the Trinidad and Tobago Gazette, in the daily newspapers and on the Commission's Website.

Dated this 16<sup>th</sup> day of March, 2010



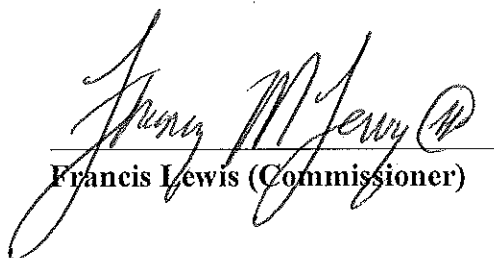
Deborah Thomas-Felix (Chairman)



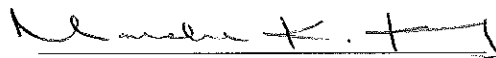
Shelton Nicholls (Commissioner)



Vishnu Dhanpaul (Commissioner)



Francis Lewis (Commissioner)



Marsha K. King (Commissioner)

