



*Welcome Remarks*

Delivered By

Mr Robert Trestrail

Senior Vice President

**BREAKFAST MEETING**  
**“THE FOREIGN ASSET TAX COMPLIANCE ACT”**  
**FRIDAY 12<sup>TH</sup> JULY 2013**  
**8:00 AM – 10:30AM**  
**AT THE LEON AGOSTINI CONFERENCE HALL, CHAMBER**  
**BUILDING**

- **MS KNALIDI JACKSON-FREDERICK – PRESIDENT – ASSOCIATION OF COMPLIANCE PROFESSIONALS OF TRINIDAD AND TOBAGO**
  
- **MS STACY ANN GRIFFITH – ATTORNEY AT LAW**

- **MRS ZIA PATON – DIRECTOR / ADVISORY  
- PRICEWATER HOUSE COOPERS TRINIDAD**
  
- **MS JANELLE BERNARD – CHAIRPERSON  
AML & FACTA SUB COMMITTEES,  
BANKER’S ASSOCIATION OF TRINIDAD  
AND TOBAGO**
  
- **MS NAVEEN LALLA – MANAGER –  
INSURANCE AND PENSIONS – CENTRAL  
BANK**
  
- **MR JASON NARINESINGH - MODERATOR**

- **OTHER REPRESENTATIVES OF THE ASSOCIATION OF COMPLIANCE PROFESSIONALS OF TRINIDAD AND TOBAGO**
  
- **BOARD MEMBERS OF THE TRINIDAD AND TOBAGO CHAMBER**
  
- **MS CATHERINE KUMAR – CHIEF EXECUTIVE OFFICER OF THE CHAMBER**
  
- **SPONSORS :-**
  - **PAN AMERICAN LIFE INSURANCE OF TRINIDAD AND TOBAGO,**

- PRICEWATER HOUSE COOPERS**
  
- CHAMBER MEMBERS, MEMBERS OF ACPTT  
AND OTHER PARTICIPANTS**
  
- MEMBERS OF THE MEDIA**
  
- LADIES AND GENTLEMEN**

Good morning to all and welcome to this morning's Breakfast Meeting, judging from the overwhelming response, the topic is surely of great interest to the local business community.

This morning, we are going to hear more on the Foreign Asset Tax Compliance Act – commonly referred to as FATCA – and how it will affect disclosure and withholding practices for our local Financial Sector.

As our nation's leaders continue to highlight the Financial Sector as one of the growth poles in our diversification thrust, we must truly understand the global legislative environment which governs our financial industry.

In March of 2010 the US Congress adopted this piece of legislation in its effort to fight offshore tax evasion by its own citizens.

Under this legislation, the United States is demanding that all foreign Financial Institutions – Banks, Insurance Companies, Collective Investment Schemes and credit unions, enter into an agreement in which they undertake to identify customers who are subject to the American tax system, and provide their names and financial data to the IRS.

Overseas Financial institutions are required to register with the US Internal Revenue Service (IRS). The Act affects all non-national residents in the US, American expatriates, and foreigners with significant holdings in the US.

The passage of this Bill has generated heated debate, and the Bill has been severely criticised internationally. Here in Trinidad and Tobago and the wider



Caribbean region, some of the initial criticism of the FATCA regime has been;

- it does not respect sovereign financial laws;
- it may do damage to the reputation of our the financial sector and
- it adds an additional burden of compliance on the local Financial Sector which is unrelated to its operations.

While some may argue that these concerns may be valid, we are aware that they are being addressed at a Government-to-Government level.

Internationally, FATCA has already been adopted by Australia, Britain, New Zealand and Germany. Regionally, earlier this year, the Jamaican Government announced plans to establish a Central Authority led by

their Central Bank, to report on the financial activities of US taxpayers.

This move by the Jamaican government will assist their local institutions with FATCA compliance, and ensures that Jamaican institutions caught by the FATCA net will not be required to deal directly with the IRS. – Instead, they will make their reports to a Jamaican Central Authority which will be

responsible for transmitting all relevant information to the US authorities.

The Jamaican government has also committed to any necessary legislative changes that will be required to ensure these disclosures do not breach Jamaican law.

Here at home, as the local business community, we must be sober in our

assessment of FATCA. Realistically, if we wish to position ourselves as the Financial Tiger of the English-speaking Caribbean, we will be required to comply with such legislation. Refusal to comply is only theoretical; Financial Intermediaries who are deemed non-compliant face huge fines, and face being blacklisted internationally.

So as we listen to the presentations and engage in fruitful discussions, we must bear these realities in mind.

Since the global financial crisis, the business community, no matter the industry, has seen an unprecedented increase in international efforts to end banking secrecy, and an effort to increase and promote transparency. Business in Trinidad and Tobago must be part of these efforts,

especially if we expect to operate within the global financial environment.

One of the Chamber's areas of focus is "Governance and Transparency". As a Chamber and as a Business Community we must endorse all efforts to ensure a fair and transparent way of conducting our business. The facts are that more attention is now being placed on the way we do

business– whether you are involved in the private or public sector.

Our citizens are becoming more engaged with business, and we must always remember that they are our customers. We must ensure that we are doing business in a transparent manner, still maintaining the best interests of our business, the public and the communities we serve.



With that said, I wish to thank the Association of Compliance Professionals of T&T for hosting this session with the Chamber, and I thank our Members and wider business community for your overwhelming response here this morning to discuss this important topic.

I look forward to hearing more on the presentations and I look forward to the discussions to be held.

Thank you again and enjoy this morning's session.