



GOVERNMENT OF BARBADOS

TERMS OF REFERENCE FOR THE NATIONAL TASK FORCE ON TRADE AND BUSINESS FACILITATION

JUNE 2019

I. BACKGROUND

The WTO Agreement on Trade Facilitation (TFA) entered into force on 22nd February 2017 with more than two-thirds of members formally accepting the Protocol and completing their domestic ratification process. The (TFA) contains provisions for expediting the movement, release and clearance of goods, including goods in transit. It also sets out measures for effective cooperation between customs and other appropriate authorities on trade facilitation and customs compliance issues. It further contains provisions for technical assistance and capacity building in this area.

Each WTO member is expected to ratify the agreement, specifying the modalities of implementation. The TFA comprises three sections as described below:

Section I contains provisions for expediting the movement, release and clearance of goods, including goods in transit. It clarifies and improves the relevant articles (V, VIII and X) of the General Agreement on Tariffs and Trade (GATT) 1994 and also sets out provisions for customs cooperation.

Section II contains special and differential treatment (SDT) provisions that allow developing and least-developed countries (LDCs) to determine when they will implement individual provisions of the Agreement and to identify provisions that they will only be able to implement upon the receipt of technical assistance and support for capacity building.

To benefit from SDT, a member must categorize each provision of the Agreement, as defined below, and notify other WTO members of these categorizations in accordance with specific timelines outlined in the Agreement.

- i. **Category A:** provisions that the member will implement by the time the Agreement enters into force (or in the case of a least-developed country member within one year after entry into force)
- ii. **Category B:** provisions that the member will implement after a transitional period following the entry into force of the Agreement.
- iii. **Category C:** provisions that the member will implement on a date after a transitional period following the entry into force of the Agreement and requiring the acquisition of assistance and support for capacity building.

Section III contains provisions that establish a permanent committee on trade facilitation at the WTO, require members to have a national committee to facilitate domestic coordination and implementation of the provisions of the Agreement. It also sets out a few final provisions.

Barbados accepted the Protocol by depositing the instrument of acceptance with the WTO on 2 September, 2015 and ratified the Agreement on 31 January, 2018. In keeping with the above provisions, the Government of Barbados has created the National Task Force on Trade and Business Facilitation (NTFTBF) to facilitate the domestic coordination and implementation of the provisions of the TFA.

The NTFTBF, Barbados' National Trade Facilitation Committee, will serve as the TFA implementation support and monitoring vehicle, as well as a link with relevant WTO

Committees. It is also the platform for sharing experiences regarding the implementation of trade facilitation measures among WTO Members at the multi-national and regional levels.

The NTFTBF shall coordinate with the donor community and engage with other international organizations and bodies, as well as with the private sector.

II Terms of Reference

1. Objectives

1.1. Specific objectives of the NTFTBF shall include the following:

- to develop the strategy and national implementation plan for Trade Facilitation activities;
- to coordinate , monitor implementation of the TFA together with making recommendations on strategic trade facilitation goals and operational solutions, in accordance with the TFA;
- to strengthen policy coherence between national and regional development priorities and international obligations, and between trade facilitation reform initiatives and technical assistance projects;
- to provide technical support to the national and Geneva based officials in the context of the WTO TFA implementation;
- to provide a forum for stakeholder national and regional consultations on trade facilitation related policies and implementation in collaboration with the private sector;
- to ensure efficient harmonization of national and regional trade facilitation implementation approaches;
- to increase public awareness of trade facilitation measures, practices and standards.

2. Composition and Authority

The composition and functions of the NTFTBF are subject to the Cabinet's approval and the NTFTBF membership will comprise of the following members:

- Ministry of Finance
- Economic Affairs and Investment Division
- Barbados Revenue Authority,
- Customs and Excise Department
- Ministry of Foreign Affairs and Foreign Trade,
- Ministry of International Business and Industry,
- Barbados Investment and Development Corporation

- Ministry of Agriculture and Food Security
- Plant Protection Services,
- Veterinary Services,
- Ministry of Health and Wellness – Port Health,
- Ministry of Small Business, Entrepreneurship and Commerce
- Department of Commerce and Consumer Affairs,
- Barbados National Standards Institution;
- Barbados Port Inc,
- Grantley Adams International Airport
- Barbados Manufacturing Association ,
- Barbados Small Business Association;
- Barbados Private Sector Association,
- Barbados Chamber of Commerce and Industry;
- Customs Brokers Association
- Central Bank of Barbados

- 2.1. The NTFTBF shall function as a coordinating and consultative body. It will have authority to prepare recommendations and advise on domestic, regional and multilateral policy matters related to transport and trade facilitation;
- 2.2. Its recommendations shall be made in the form of proposals to the institutions concerned and to Government. This includes recommendations on the TFA implementation, implementation of other trade facilitation related obligations, bi-lateral and regional [arrangements/consultations/ discussions] on technical assistance;
- 2.3. The Chairperson shall have the authority to request contribution and substantial reports from the participating agencies through their authorized representative;
- 2.4. The Chairperson will prepare at least once a year a progress report to be submitted to the Government of Barbados.

3. Responsibilities of Members

- 3.1. The Chairmanship of the NTFTBF shall reside with the Ministry of Small Business, Entrepreneurship and Commerce and the Chairperson shall be nominated by the Permanent Secretary.
- 3.2. The Chairperson shall be the head of the NTFTBF and shall be responsible for overall work and progress of the Committee. He/she shall represent in major forums where the views of the Committee are required to be conveyed or shared.
- 3.3. The Vice-Chairperson shall be held by the Comptroller/ Deputy Comptroller of the Customs and Excise Department and shall assist the Chairperson in discharging his/her responsibilities and represent him in his absence.

- 3.4. The Member-Secretary shall be responsible for overall coordination.
- 3.5. The Member-Secretary shall be the head of the Secretariat of the Committee.
- 3.6. The other members shall support the above members as required and as directed by the Chairperson.
- 3.7. Each member shall act and participate in the meeting in the best interest of the NTFTBF, while keeping in view the role of the organizations they represent in trade facilitation.

4. Operating procedures

- 4.1. The NTFTBF shall meet at regular intervals , *at least quarterly* or at the request of the Chairperson or by any member through a request made to the Chairperson;
- 4.2. Only the designated members of the Committee shall be entitled to attend the meeting. Secretariat on prior permission from the Chairperson may invite other agencies to attend the meeting, if there are any issues concerning trade facilitation;
- 4.3. The secretariat shall be set up to provide secretarial functions and assist the Chairperson;
- 4.4. The meetings should be carried out based on agenda and on the basis of the members' proposals and upon the Chair's final approval. Each member has the right to propose issues for discussion in the meeting agenda, submitting them to the Secretary no later than a week prior to the planned date of the meeting. Working documents, especially those which may require consultations, should also be available to members in sufficient time;
- 4.5. The Chair, together with the Secretary, is responsible for coordinating and scheduling the NTFTBF meetings and circulating draft agendas.
- 4.6. The agenda of these meetings would cover, inter alia, the following items:
 - Discussion of the proposals of solutions to problems identified in previous NTFTBF meetings;
 - Identification of new issues and prioritization of these issues;
 - Assignment of tasks to members/working groups.
- 4.7. The Chair shall ensure that NTFTBF decisions are recorded and publically available in accordance with the law.
- 4.8. A simple majority of members shall be present for holding any meeting.

- 4.9. All recommendations in the meeting shall be taken by consensus. Where there is no consensus, then recommendation shall be subject to approval by 2/3 majority of members present in the meeting.
- 4.10. Guests and observers may clarify issues and facilitate discussions during the NTFTBF meetings. However, the Committee shall have the discretions whether to accept their views in decision-making.

5. Secretariat

- 5.1 There shall be a Secretariat to assist and provide services to the NTFTBF.
- 5.2 The NTFTBF shall ensure that the Secretariat is sustainable with adequate personnel, facilities, and equipment [and budget] for its operations.

6 Sub-Committees or Working groups

- 6.1 The NTFTBF may establish working groups with the consent of its members for specific tasks requiring detailed discussion and consideration.
- 6.2 The Committee shall approve the members of such groups and provide clear terms of reference and time frame for completion of the assigned tasks.
- 6.3 The groups shall organize their own working methods and elect a moderator.
- 6.4 The moderator shall present a verbal and written report to the NTFTBF upon completion of its work.

7 Action plan

- 7.1 An action plan will be prepared and implemented by the NTFTBF. It will include a sustainable methodology for the monitoring and evaluation (M&E) of the implementation of the TFA-as set out in the action plan.
- 7.2 The M&E shall include, inter alia:
 - Establishment of mechanisms for monitoring progress in implementation of the TFA provisions, including development of reporting procedures, performance indicators, and related issues ;

- Review and approve progress reports (including those from working groups), and initiate corrective actions in appropriate cases ;
- Report to the government through the responsible ministers and to the public on progress in trade facilitation improvements.

8 Reporting

- 8.1 The Chair shall coordinate the composition of and submit quarterly reports as well as an annual report on the work of the NTFTBF to the Minister of MSBEC for submission to the Cabinet. The same report shall also be circulated to the heads of the agencies represented in the Committee and other relevant organizations.