

THE MANDATE OF THE ENVIRONMENTAL COMMISSION

The Court is bound by the relevant statutory provisions, the common law, rules of evidence and the rules of natural justice. The Court adjudicates upon applications, appeals, and complaints under the EM Act, 2000 and the subsidiary legislation made thereunder. There is also provision for the jurisdiction of the Court to be extended to other matters by any written law. This jurisdiction includes:

- Appeals from decisions or actions of the Environmental Management Authority (“EMA”) as specifically authorised under the EM Act, 2000
- Applications for deferment of decisions made under section 25 (for the EMA to undertake emergency response activities) or under section 41 (to designate environmentally sensitive areas or environmentally sensitive species)
- Applications by the EMA for the enforcement of any Consent Agreement or any final Administrative Order
- Administrative civil assessments
- Appeals from the designation of environmentally sensitive areas or environmentally sensitive species by the EMA
- Appeals from a decision by the EMA under section 36 to refuse to issue a certificate of environmental clearance or to grant such certificate with conditions
- Appeals from any determination by the EMA to disclose information or materials claimed as a trade secret or confidential business information under section 23(3)
- Direct Private Party Actions under section 69
- Such other matters as may be prescribed by or arise under the EM Act or any other written law where jurisdiction in the Commission is specifically provided for.

The Court in keeping with its status as a superior court of record, is mandated to provide an impartial and independent forum for judicial relief and adjudication with respect to specific matters of environmental law. The Court provides a fair public hearing process which assesses matters before it on the basis of the applicable law and facts including technical, scientific and socio-economic considerations.

The Court has a key role to play in ensuring the sustainable development of Trinidad and Tobago, that is development which meets the needs of present generations without compromising the ability of future generations to meet their own needs. The Court therefore keeps clearly in mind the need to strike a balance between economic development and environmental preservation.