

Draft e-business policy for Trinidad and Tobago

Draft e-business is at :

http://ttcsweb.pbwiki.com/f/Draft_National_e-Business_Policy_V050.pdf

Do you agree with the definition/interpretation of the term 'e-Business' as outlined in (section 3) of this policy document? If not please provide 1-3 suggestions on how it can be improved or stated:

No. The definition of e-commerce is not specific enough to conform to the definitions that are universally understood throughout the IT and Financial industry.

"Electronic commerce , commonly known as e-commerce or eCommerce, consists of the buying and selling of products or services over electronic systems such as the Internet and other computer networks." - Wikipedia, (http://en.wikipedia.org/wiki/Electronic_commerce)

Commerce, of any kind, revolves around payments. E-commerce revolves around making payment electronically in a secure manner. The core concept is payment. Information exchanges are not payments. You may be paying for information, but the payment is the basis of commerce. Information can be exchanged without any payment. It only becomes e-commerce when a payment of some kind is involved.

A single person can engage in e-commerce without having any "fully integrated ICTs into its operations". He or she may not have any computerised operations at all, but may still want to buy something from Amazon.com or pay for renewing a driver's license from the government's website. That's e-commerce.

The explanation of e-business is not clear from the stated definition. Examples of e-businesses are required.

Is it necessary for a business to develop in-house ICT in order to participate in e-commerce? It may be more cost effective for the business to outsource such ICT functions. Facilities need to exist external to the business and to be accessible for businesses to participate in e-commerce.

Do you agree that the stated list of benefits of ICTs in Business (Section 4) can result from their effective/competent employment in business? If not explain why and provide 1-3 suggestions on how the list can be improved or stated:

No. The examples seem geared to larger businesses than MSMEs.

Re: "enhancing transparency" : use of ICT alone does not add transparency to economic activity.

The possible key benefit to any business using ICT (and perhaps THE reason why a business will implement ICT) :

"if implemented properly, ICT can reduce expenses and increase profits."
does not appear to be stated.

Perhaps an analysis of why many MSMEs are NOT using ICTs today and those factors/reasons can then be looked at with the intention of removing/reducing those factors/reasons.

Do you agree that the stated focus areas of the policy framework are those that are currently most pertinent to developing a robust e-Business environment in Trinidad and Tobago? If not please give 1- 3 suggestions:

The key for e-business is to develop ways for all local consumers to easily pay electronically for goods and services online from businesses (not just from GoRTT). Once business can make money online, there would be increased uptake in ICTs to market and support their businesses online. Payment methods via cell phones for local e-commerce should be developed since cellphone penetration is high.

Efforts should be made to ensure that local businesses can receive payments overseas via credit cards and popular payment methods (for example: Paypal). This will allow business to market goods and services globally.

GoRTT is already acting to facilitate these requirements by proclaiming the Telecoms Act (2001) - with subsequent amendments - by establishing the Telecommunications Authority of Trinidad and Tobago, whose mandate is to oversee the orderly liberalization and development of the Telecommunications Sector and via the mandates of the Broadband National Action Plan 2007. Do you believe that these measures have been successful / adequate? If not, please identify additional actions that you would like be taken in this regard:

There is no publicly available document on the National Broadband National Action Plan 2007. There is conflicting mention of a National Broadband Policy on fastforward.tt (which also has not been disclosed).

Delays in getting affordable external bandwidth and the monopoly control of fiber optic cables landing in Trinidad and Tobago up until 2007 greatly hampered private ISPs and delayed broadband penetration in Trinidad and Tobago. Dispute resolution between telecommunication providers need to be resolved quickly to benefit consumers.

- The infrastructure serves to facilitate access to information. It is important that information from government services be accessible to all users and hardware by using open standards (e.g web standard compliant websites) so that information is not restricted to platform specific hardware and software. This is in line with the Freedom of Information Act 1999.

- GoRTT should consider treating ICT infrastructure as vital as roads, electricity and water. (see "Fiber to the People" by Lawrence Lessig at: (<http://www.wired.com/wired/archive/11.12/view.html?pg=5>)

Do you agree that GoRTT should pursue policy recommendation 5.1.3, to facilitate the expeditious movement of goods to and/or from overseas markets, or should this be left entirely up to the market?

No. 5.1.3 and the question posed are two different things. GoRTT should speed up customs procedures to speed up the **clearing of imports** from customs, not just exports. It is not clear how the market could improve the situation at customs.

The National e-Commerce Policy Committee (1999) recommended the acquisition and management of overseas warehousing infrastructures. Do you agree that this could be a key enabler of e-business in the import / export sector? If so, how do you think that this framework could be executed? If not please explain why:

No. Issues such as an affordable means to send and receive payments electronically are more important. Also, there exist third party solutions like 'Amazon's marketplace' which can warehouse and sell physical goods of businesses.

Do you agree with the proposed policy actions/recommendations outlined in Section 5.1? If not please provide 1-3 suggestions on how this section can be improved or re-stated:

No.

Re: 5.1.4

Local and overseas potential customers looking for goods and services in Trinidad and Tobago would use search engines such as 'Google', 'Yahoo!', etc. If such marketplaces mentioned in 5.1.4 do not allow results to appear in searches, then the value of such marketplaces are suspect. Businesses will have to market themselves properly online (e.g by developing websites which can be indexed by search engines) in order to be discovered.

If potential customers can not discover a business on these major search engines, it may as well not exist online!

Re: 5.1.5 - Would companies in the financial and energy sectors allow or share access to their "computing power" (i.e their servers, their networks) with any local businesses alongside their data? This is highly unlikely.

GoRTT is already acting in this regard vis-à-vis the passage of the Copyright amendment Act 2008 and the provisions outlined in the Electronic Transactions Policy (2006) respectively. Do you believe that the measures within the amended act and e-Transaction Policy are sufficient? If not please provide 1-3 suggestions on what additional actions will be necessary to promote the protection of intellectual property rights and e-marketplace confidence:

GoRTT needs to mandate software audits in every single company/organisation in TT, just as they are required to have financial audits now. By forcing businesses to comply with software licensing requirements, it eliminates software piracy completely in the business sector.

Once there is compliance, interested parties will create local software development companies. Programming will become a viable profession. This one step toward boosting ICT support and services as a viable profession.

Business will have to take ICT seriously, as they would have to pay for software. Greater attention will therefore be paid to analysing the cost of ICT and assessment potential software alternatives that can perform the required functions. The value of the ICT sector will increase.

The promotion of Open Source software can act as a means to combat software piracy and as a means of stimulating the development of a viable local software industry.

GoRTT is already acting in this regard through plans to establish a Fair Trading Commission. Do you believe that such a measure will result in a level playing field for businesses and increased confidence on the part of consumers? If not please provide 1-3 suggestions on what alternative or additional actions will be necessary to facilitate clarification of e-markeplace rules and promote efficient and amicable dispute resolution.

Re: 5.2.2 : Issues like racism and pedophilia are not related to e-commerce or e-business. While it is necessary to have a cyber-crime unit of the Ministry of National Security these issues sound like red herrings in this context and to have censorship imposed may be at the expense of freedom of expression. This should be left out of the policy document on e-business strategy.

Adequate data privacy laws that protect individuals from public disclosure of their private details and allow individual redress against persons/companies/government that do so (bearing in mind the Freedom of Information Act 1999). Some examples of key questions that need to be addressed are: How would defamation online be handled? Do local laws need to be updated to cater for such activites online? Is the Ministry of National Security adequately equipped to deal with such issues? Will retraining/ recruitment of new officers be involved?

RE: 5.2.3 : There should be a Better Business Bureau for all businesses, not just e-businesses. Why under the Ministry of Trade and Industry? A proposed bureau may be better placed with the Ministry of Consumer Affairs. Or under the joint Ministries of Trade and Industry and Consumer Affairs?

Do you think that the actions outlined in Section 5.2 are sufficient to clarify market place rules and build user confidence in e-business? If not please provide 1-3 suggestions on what actions will be necessary

Re: 5.2.4 - cross-border taxation? GoRTT should consider not taxing e-commerce transactions for several years as a incentive to get more businesses to use/increase e-commerce transactions. Suggested reading: <http://works.bepress.com/subhajitbasu/7/>

Re: 5.2.5 No mention of data privacy. This definition via <http://www.fastforward.tt/files/cms/Explanatory%20Memorandum%20Final%20Document%20-%20Data%20Protection.pdf> may be sufficient :

"Data Commissioner to deal with complaints and appeals from decisions made by heads of public authorities about personal information and requests by individuals for access to their own information or correction of that information. The Data Commissioner provides a credible source of expertise, authoritative decision-making, and disinterested resolution of disputes. It is intended that the decisions and guidance of the Data Commissioner dealing with data protection by Government will provide the leadership that will be needed to integrate the values of privacy protection into the business values of the private sector in Trinidad and Tobago."

Re: 5.2.6 A cyber-crime unit should be a part of police which works with the Director of Public Prosecutions in combating computer related crimes. Placing such a unit under the Ministry of National Security implies that such a unit reports to and takes instructions from the Minister of National Security and not from the Judiciary.

Do you agree that co-operation among CARICOM nations to facilitate e-commerce and e-business in the region should be a priority for Government?

Re: 5.3.2 - efforts should be made to recognize and accept existing global certification service providers and payment service providers. This would make it easier for CARICOM entities to transact business globally. Creating such entities to operate only within CARICOM may not be cost effective given the amount of trade within Caricom.

Also attempts should be done to harmonise laws withing Caricom as it relates to data privacy, cybercrime, etc

Do you agree with the Mechanisms suggested to achieve this? If not please provide 1-3 suggestions on what other activities might better achieve this goal of leveraging ICT to facilitate regional trade:

Re: 5.3.3 Does this mean that the outcomes of such research initiatives is made available to the public given its funding from GoRTT (and assuming from other Caricom countries)?

Do you agree that pursuing the policy recommendations outlined in Section 5.3 (Developing Networks) is in the best interest of Trinidad and Tobago e-business? If not please give reasons why and provide 1-3 suggestions on how best Trinidad and Tobago's international interests can be met:

Re: 5.3.4 How are electronic funds transfer being done now between financial institutions within Caricom and why is the existing system inadequate? These systems need to be examined before decision is made to develop and implement a new system.

Re: 5.3.5 - Did the GoRTT signed treaties with no intention of implementing them?

Do you agree that GoRTT should pursue the policy recommendations outlined in Section 5.4? If not please provide 1-3 suggestions on how best ICT Clustering and Infrastructure sharing can best be facilitated:

5.4.2 What are ICT Energy Services?

A key aspect is ICT enabled clustering is availability and affordability of broadband. Many possible ICT startups do not necessarily require a separate large facility. A MSME could (and should be allowed to begin) in the facility/area convenient to the owners of the MSME and possibly move to such a larger facility if the MSME business needs to expand.

Do you agree that FDI firms should be asked to partner in the process of upgrading indigenous technological capacity? as outlined in Section 5.5.2? If not please explain what role (if any) foreign firms should play in this process:

Re: 5.5.1 - Obviously more details needed on this National Innovation Strategy?

Re: 5.5.2 - A FDI firm wanting to invest would want already available skilled workers (unless the FDI is seeking low cost labour in Trinidad and Tobago). Having a FDI partner share technology will not be an economic incentive for them to invest. A FDI may be more willing to fund academia projects.

Do you agree that leveraging the Diaspora is a key element in achieving Trinidad and Tobago's V2020 aspirations? If so please explain some tangible and specific ways in which we might maximise the

benefit that skilled nationals living abroad can be to the development of Trinidad and Tobago and the broader Caribbean:

No. What would we be offering them to return? There are reasons/issues why skilled nationals left Trinidad and Tobago. Understanding what these are and reducing/eliminating those issues is key to encouraging skilled nationals to remain in Trinidad and Tobago and work/start their business here. More emphasis should be placed on 5.5.4 so that nationals do not have to go abroad to get training in their chosen ICT field.

Do you agree that GoRTT should pursue the policy recommendations outlined in Section 5.5? If not please provide 1-3 suggestions on how it can be improved or stated:

Emphasis should be given to teach students the skills needed for the ICT environment (for example: the analysing problems logically and methodically). Provide students with a wide diversity of hardware, software as well as knowledge of the Internet (how it works, the building blocks behind websites, etc)

Do you agree with the roles of the e-Business Roundtable as outlined in 5.6.1, 5.6.2 and 5.6.3? If not please provide 1-3 suggestions on what the role should be or what additional institutions or measures might be required, in collaboration with Government's own efforts, to seriously promote and drive the uptake of ICTs in Business in Trinidad and Tobago:

There is a danger is that the e-business round table members will encourage solutions that benefit those members and not allow for ICT businesses which perform similiar job functions to be setup that could compete with them.

Re: 5.6.6 - developing ways for consumers to easily pay electronically for goods and services online from businesses (not just GoRTT) is probably THE KEY for the e-business strategy. Once business can make money online, there would be increased uptake in ICTs to market and support their businesses online. Efforts should be made to ensure that payments could be received globally via credit cards and popular payment methods , for example: Paypal.

It is not clear why a 'one card' govt system needs to be developed. Payments could be done from banks or venues such as TTpost for various government services. It may not be feasible for GoRTT to setup another payment system.

Other Considerations (please see our Wiki)

Response to Fastforward Documentation

1. The government needs to promote Trinidad and Tobago as a premiere location for enterprise quality data centers. Our location outside the hurricane, the and the availability of affordable energy makes Trinidad a prime location for the setup of data centers.
2. The need to prevent monopolies in any part of the national ICT infrastucture.
3. Since cellphone penetration is high the government should conduct further studies into the

feasibilities of using cellphones for payment locally.

4. The need to facilitate venture capitalism in the realm of the ICT sector.
5. The need to deregulate the telecom industry especially with respect to such technologies such as T1s.
6. The promotion of Open Source software both to combat piracy and stimulate the development of the local software
7. The need to support some network access to local cellular networks.
8. The incorporation of the Ministry of Science, Technology and Tertiary Education
9. The need to make the "enhancing transparency" benefit clear. "E-procurement" and "electronic marketplaces" alone doesn't add transparency to economic activity
10. The GOTT should not be the entity that develops network, the GOTT should facilitate and nurture the development of the network by encouraging the private sector and creating the infrastructure
11. The GOTT should focus on the following:

- consumer rights online;

- removal of red tape involved in importation and exportation of good and services;

- commitment to a full and timely opening up of the telecommunications markets;

- promoting appropriate mechanisms to facilitate business-to-business payment systems and the settlement of cross-border transactions, wherever impediments to these may currently exist within the GOTT;

- the principle of universal access that ensures the availability of internet access to citizens at affordable rates, incorporate initiatives and strategies which will help to educate, train and re-train citizens to enable their participation in and enjoyment of the full benefits, services and capabilities that e-commerce and a digital economy will make available;

- strengthening the telecommunication infrastructure specifically with regard to Market access, convergence of broadcasting and telecommunications regulations, security of networks and relation cybersecurity measures, standards for interoperability/interconnectivity, international telecommunications union and internet service providers;

- e-Government made up of Judicial Legal Services, online Government processes, Network Security, Education and Human Resource Development, Government Website and Portal and Business Facilitation;

- a universal service policy that guarantees Internet Access free of charge to all educational institutions, all public hospitals, clinics, senior citizens' homes and orphanages;

- a conducive system of the protection of intellectual property rights in cyberspace and the provision of alternative means of dispute resolution, including through means of on-line settlement;

- the creation of an internationally compatible legal and regulatory framework that accommodates rules for commercial transactions with the aim of building trust in and providing certainty and predictability for online transactions;

- issues relevant to privacy, such as protection for personal information and confidentiality of consumer related matters;

- issues relevant to the Freedom of Information Act 1999; and

- the development of technologically competent human resources capabilities.