

IN THE CARIBBEAN COURT OF JUSTICE
Original Jurisdiction

CCJ Application No. OA 1 of 2009

Between

TRINIDAD CEMENT LIMITED Claimant

And

THE CARIBBEAN COMMUNITY Defendant

NOTICE OF FILING OF ORIGINATING APPLICATION

TAKE NOTICE that pursuant to an Order made on 15th January 2009 granting the Claimant herein special leave to commence proceedings and to appear as a party to the proceedings, an originating application was filed by **Trinidad Cement Limited** against **The Caribbean Community** on **19th January 2009**.

The subject matter of the application relates to the suspension of the Common External Tariff (CET) on cement.

The Claimant seeks the following relief in its application:-

- (i) "A declaration that the decision of the Community made by its institutional organ the Council for Trade and Economic Development ("COTED") dated on or about the 25th day of November, 2008, to suspend in accordance with Article 83 of the Revised Treaty the application of the Common External Tariff ("CET") on imports of Grey Cement which do not qualify for Community treatment as defined by the Revised Treaty for a period of 1 year for Community Member States: Antigua and Barbuda, Dominica, Grenada, St. Lucia, St. Kitts and Nevis, St. Vincent and the Grenadines and Suriname is irrational and/or illegal and/or unreasonable, null and void and of no effect;
- (ii) A declaration that the decision of the Secretary General of the Community made pursuant to his authority under Article 83.3 of the Revised Treaty to grant a suspension of the CET on imports of grey cement in respect of Jamaica to the extent of 240,000 metric tonnes for the period of one year from 10th September, 2008 to 9th September, 2009 is irrational and/or illegal and/or unreasonable, null and void and of no effect;
- (iii) An order that the said decisions be quashed and/or set aside;

- (iv) An order restraining the Respondent whether by itself, its Secretary General, and/or institutional organs and/or servants and/or agents from authorizing and continuing to authorize and approve the implementation of the said decisions pending the hearing and determination of this action or further order;
- (v) An order directing the Respondent acting through its Secretary General to revoke the aforesaid decisions and to inform the affected Member Countries of the Community”.

Dated the 19th day of January 2009

Paula Pierre
Registrar and Chief Marshal
Caribbean Court of Justice