



5th REPORT OF THE

JOINT SELECT COMMITTEE ON

SOCIAL SERVICES

AND

PUBLIC ADMINISTRATION

ON AN

INQUIRY INTO THE ADVERSE HEALTH EFFECTS OF FIREWORKS

THIRD SESSION (2017/2018) 11TH PARLIAMENT
OF THE REPUBLIC OF TRINIDAD AND TOBAGO

FIFTH REPORT

OF THE

**JOINT SELECT COMMITTEE ON SOCIAL SERVICES AND PUBLIC
ADMINISTRATION**

ON AN

INQUIRY INTO THE ADVERSE HEALTH EFFECTS OF FIREWORKS

Date Laid in the HoR: May 25 2018

Date Laid in the Senate: May 21 2018

An electronic copy of this report can be found on the Parliament website:
http://www.ttparliament.org/committee_business.php?mid=19&id=241&pid=28

The Joint Select Committee on Social Services and Public Administration

Contact the Committee's Secretariat

Telephone: 624-7275 Extensions 2277/2232/2282, **Fax:** 625-4672

Email: jcsspa@ttparliament.org

THE COMMITTEE



Dr. Dhanayshar Mahabir
CHAIRMAN



Mr. Esmond Forde, MP
VICE-CHAIRMAN



Mrs. Glenda Jennings-Smith, MP
MEMBER



Brig. Gen. (Ret.) Ancil Antoine, MP
MEMBER



Mrs. Christine Newallo-Hosein, MP
MEMBER



Mr. Rohan Sinanan
MEMBER



Ms. Khadijah Ameen
MEMBER



Ms. Allyson West
MEMBER

Committee Mandate and Establishment

- 1.1.1 Section 66 of the Constitution of Trinidad and Tobago declares, that not later than three months after the first meeting of the House of Representatives, the Parliament shall appoint Joint Select Committees to inquire into and report to both Houses in respect of Government Ministries, Municipal Corporations, Statutory Authorities, State Enterprises and Service Commissions, in relation to their administration, the manner of exercise of their powers, their methods of functioning and any criteria adopted by them in the exercise of their powers and functions.
- 1.1.2 Motions related to this purpose were passed in the House of Representatives and Senate on November 13 and 17, 2015, respectively and thereby established, *inter alia*, the ***Joint Select Committee on Social Services and Public Administration***.
- 1.1.3 Standing Order 91 of the Senate and 101 of the House of Representatives outline the general functions of a Committee of this nature. They are as follows:
- a) “To examine Bills and review all legislation relating to the relevant Ministries, departments or bodies or as may be referred to it by the House;
 - b) To investigate, inquire into, and report on all matters relating to the mandate, management, activities, administration and operations of the assigned Ministries, departments or bodies;
 - c) To study the programme and policy objectives of Ministries, departments or bodies and the effectiveness of the implementation of such programmes and policy objectives;
 - d) To assess and monitor the performance of Ministries, Departments and bodies and the manner of the exercise of their powers;
 - e) To investigate and inquire into all matters relating to the assigned Ministries, Departments and bodies as they may deem necessary, or as may be referred to them by the House or a Minister; and
 - f) To make reports and recommendations to the House as often as possible, including recommendations for proposed legislation.”

Powers of the Joint Select Committee

1.1.4 Standing Orders 101 of the Senate and 111 of the House of Representatives outline the core powers of the Committee which include *inter alia*:

- to send for persons, papers and records;
- to sit notwithstanding any adjournment of the Senate;
- to adjourn from place to place;
- to report from time to time;
- to appoint specialist advisers either to supply information which is not otherwise readily available or to elucidate matters of complexity within the Committee's or Sub-Committee's order of reference;
- to communicate with any Committee of Parliament on matters of common interest; and
- to meet concurrently with any other Committee for the purpose of deliberating, taking evidence or considering draft reports.

Membership

1.1.5 The Committee comprises the following members:

- | | |
|--|---------------|
| 1. Dr. Dhanayshar Mahabir | Chairman |
| 2. Mr. Esmond Forde, MP | Vice-Chairman |
| 3. Mrs. Glenda Jennings-Smith, MP | Member |
| 4. Brig. Gen. (Ret.) Ancil Antoine, MP | Member |
| 5. Mrs. Christine Newallo-Hosein, MP | Member |
| 6. Mr. Rohan Sinanan | Member |
| 7. Ms. Khadijah Ameen | Member |
| 8. Ms. Allyson West | Member |

Secretariat Support

1.1.6 The following officers were assigned to assist the Committee:

- | | | |
|--------------------------|---|-----------------------------|
| 1. Mr. Julien Ogilvie | - | Secretary |
| 2. Mr. Johnson Greenidge | - | Assistant Secretary |
| 3. Ms. Ashaki Alexis | - | Graduate Research Assistant |

TABLE OF CONTENTS

Committee Mandate and Establishment.....	4
ABBREVIATIONS.....	8
LIST OF TABLES.....	10
TABLE OF APPENDICES	10
EXECUTIVE SUMMARY	11
SUMMARY OF RECOMMENDATIONS.....	15
INTRODUCTION	19
Background.....	19
Conduct of the Inquiry.....	22
KEY ISSUES, FINDINGS AND RECOMMENDATIONS	24
OBJECTIVE 1: To understand the possible impact of fireworks on human health and the extent of injuries associated with the improper use of fireworks.	24
FINDINGS AND RECOMMENDATIONS	34
Findings	34
Recommendations.....	36
OBJECTIVE 2: To assess the adequacy of law enforcement measures in place to regulate the use of fireworks and explosives by members of the public	38
FINDINGS AND RECOMMENDATIONS	42
Findings	42
Recommendations.....	44
OBJECTIVE 3: To assess the adequacy of the legal framework governing the use of fireworks and explosives by members of the public.	46
FINDINGS AND RECOMMENDATIONS	52
Findings	52
Recommendations.....	53
APPENDICES	55
Appendix I.....	56
Appendix II	58
Appendix III	71

Appendix V	93
Appendix VI.....	130
Appendix VII	166

ABBREVIATIONS

ASYCUDA	Automated System for Customs Data
AWN	Animal Welfare Network
CO	Carbon Monoxide
CO ²	Carbon Dioxide
COPD	Chronic obstructive pulmonary disease
CPSC	Consumer Product Safety Commission
CARIRI	Caribbean Industrial Research Institute
DRECHI	Diagnostic Research, Educational and Therapeutic Centre for the Hearing Impaired
EMA	Environmental Management Authority
HAECMF	Human and Environmental Care and Management Foundation
MALF	Ministry of Agriculture, Land and Fisheries
MoH	Ministry of Health
MNS	Ministry of National Security
NWRHA	North West Regional Health Authority
PM	Particulate Matter
RHAs	Regional Health Authorities
SFGH	San Fernando General Hospital
SO ₂	Sulphur Dioxide
SWRHA	South West Regional Health Authority
TTPS	Trinidad and Tobago Police Service
TTFS	Trinidad and Tobago Fire Service

TTSPCA	T&T Society for the Prevention of Cruelty to Animals - North Branch
TTVA	Trinidad and Tobago Veterinary Association
XRF	X-ray Wavelength Dispersive Spectrometer
XRD	X-ray Diffractometer

LIST OF TABLES

Table 1: Number of injuries related to fireworks recorded by the Injury Surveillance System during the period 2013 to 2017 at the Fernando General Hospital.....	28
Table 2: Standards for instantaneous unweighted peak sound pressure levels stipulated in the Noise Pollution Control Rules	32
Table 3: The Total Customs Value of fireworks imported into Trinidad and Tobago over the last five (5) years.....	48
Table 4: List of companies and location of explosives storage facilities in Trinidad and Tobago	50
Table 5: Fireworks currently stored at the Government Magazine.....	51

LIST OF FIGURES

Figure 1: The composition of fireworks	24
--	----

TABLE OF APPENDICES

APPENDICES	PAGE NUMBER
Appendix I: Persons who appeared and provided oral evidence	56-57
Appendix II: minutes of the twelfth meeting of the committee	58-70
Appendix III: minutes of the thirteenth meeting of the committee	71-82
Appendix IV: minutes of the nineteenth meeting of the committee	83-92
Appendix V: Verbatim Notes of the twelfth meeting of the committee	93-127
Appendix VI: Verbatim Notes of the thirteenth meeting of the committee	128-161
Appendix VII: Verbatim Notes of the nineteenth meeting of the committee	162- 195
Appendix VIII: a preliminary study conducted by the EMA on the environmental impacts of fireworks discharge	196-204
Appendix IX: Animal Welfare Network Program on Fireworks Mitigation	205- 206
Appendix X: Reported incidents of the nuisance discharge of fireworks within communities during the period August 30th to 31st, 2017 and October 16th to 20th, 2017	207- 212
Appendix XI: Complaints as it relates to fireworks received by the EMA	213
Appendix XII: Excerpt of the Explosive Act Chapter 16:02 outlining provisions as it relates to fireworks and other related explosives)	214- 219
Appendix XIII: List of Import and Export License Holders	220-221

EXECUTIVE SUMMARY

2.1.1 At its Eleventh (11th) meeting held on February 15, 2017, the Committee resolved to inquire into the adverse health effects of fireworks. The Committee agreed on the following inquiry objectives:

- 1. To understand the possible impact of fireworks on human health and the extent of injuries associated with the improper use of fireworks;**
- 2. To assess the adequacy of law enforcement measures in place to regulate the use of fireworks and explosives by members of the public; and**
- 3. To assess the adequacy of the legal framework governing the use of fireworks and explosives by members of the public.**

2.1.2 The Committee acquired both oral and written evidence based on the objectives listed above. Oral evidence was received during three (3) public hearings held with various stakeholders (*See Appendix II, III and IV*) on March 15, April 19 and December 15, 2017. Some of the significant issues highlighted during the public hearings were:

- i. The inadequacy of the legislative framework which governs the importation, sale and use of fireworks. In addition, the need for provisions to be included in the Environmental Management Act and Noise Pollution Control Rules as it relates to the use of fireworks;
- ii. The failure of stakeholders to capture/record data on:
 - o the number and expiration dates of licenses issued for the importation and sale of fireworks; and
 - o the total amount of fireworks imported by wholesalers;
- iii. The non-compliance of wholesalers and retailers with the legal provisions governing the quantity of explosives (contained in fireworks products) stored on premises;
- iv. The ability of importers who had not complied with the law to secure a license to import;

- v. The absence of a clear distinction in the law between the fireworks displays managed by state agencies and the use of fireworks in residential and recreational spaces by members of the public;
- vi. A lack of due diligence by the relevant authorities in conducting investigations into outlets selling fireworks to ensure compliance with existing legislation;
- vii. That licenses issued did not stipulate the amount of fireworks that are permitted to be imported;
- viii. There is no stipulated age limit in place for the use of fireworks;
- ix. The need for an increase in the penalties/fines for the illegal use of fireworks/explosives and its importation/sale without a license;
- x. The challenges faced in recording and investigating the reports/complaints made to the TTPS in reference to disturbances caused by the improper use of fireworks in communities;
- xi. The need for an increase in police presence and visibility in the areas where there is high level of disturbances caused by fireworks;
- xii. The reported injuries of persons, livestock and pets associated with the improper use of fireworks and the absence of a system to record firework-related injuries at hospitals and medical institutions;
- xiii. That the firecrackers known as “scratch-bombs”:
 - are illegal and are sold in the informal market space;
 - have a higher content of black powder than regular pyrotechnics and are not internationally tested and approved; and
 - account for the majority of recorded firework-related injuries, including those suffered by livestock and pets;
- xiv. A lack of data on the adverse health effects associated with the use of fireworks, including respiratory infections and conditions;

- xv. The need for greater collaboration between the relevant stakeholders with respect to addressing the negative effects of the improper use of fireworks on more vulnerable groups such as the differently-abled, elderly persons and animals;
- xvi. The lack of data and reports on injuries caused to animals and livestock by the discharge of fireworks and related explosives;
- xvii. The uncertainties associated with the role of the Ministry of Agriculture, Land and Fisheries in safeguarding the welfare of animals as it concerns the improper use of fireworks. Furthermore, the need for the relevant Ministries to assume greater responsibility as it concerns the adverse health effects of fireworks on animals and livestock;
- xviii. The need for greater enforcement of the Summary Offences Act Chapter 11:02 as it pertains to Animal Health and Protection and the improper use of fireworks;
- xix. That there is a need to increase the legal distance¹ that a person must stay away from the places and streets in residential communities in order to discharge fireworks, from 60 feet to 120 feet. Moreover, the possible need to prohibit the use of fireworks in residential communities;
- xx. The need for greater collaboration between the EMA, TTVA, AWN and other related NGOs toward educating the public on the adverse health effects associated with fireworks (and related explosives) and the harmful effects on the animal and pet population;
- xxi. The inability of agencies to enforce animal protection as it relates to the improper use of fireworks;
- xxii. The need for amendments to be made to the current legislative framework to assign a greater role to the EMA in the granting of licenses for the importation, storage and use of fireworks, given its technical and scientific expertise in environmental management and protection;

¹ Sections 99 and 100; Summary Offences Act, Chap. 11:02

- xxiii. The need to educate and create public awareness on cruelty against animals and the adverse health effects of fireworks on the animal population;
- 2.1.2 Based on these findings and other matters which arose during the inquiry, the Committee has proffered recommendations which it believes will address the issues highlighted. A summary of these recommendations follows this Executive Summary.
- 2.1.3 The Committee looks forward to reviewing the Minister's response to this Report, which becomes due, sixty (60) days after it is presented to the Houses of Parliament.

SUMMARY OF RECOMMENDATIONS

RECOMMENDATIONS FOR IMPLEMENTATION IN THE SHORT-TERM

(To be implemented within 3 to 6 months of the presentation of the report)

- I. That all wholesale and retail license holders and or applicants for such licenses be notified in writing that the importation of scratch-bombs and other incendiary devices is prohibited;
- II. Amend the Explosives Act and or enact regulations to impose sanctions for the importation of these incendiary devices. A holder of a license under the relevant Section of the Explosives Act who is confirmed to have imported such items or similar items would be liable to have his license revoked and will be ineligible to receive a new license for 10 years;
- III. The necessary legislative modifications should be enacted to create offenses and impose appropriate penalties for persons who:
 - Are in possession of these devices;
 - Were proven to have discharged such a device; and
 - Traffic such devices or offers same for sale;
- IV. The law should be modified to provide that where it can be proven that an illegal incendiary device was discharged within the compound of any house, dwelling house or business place, that is properly secured by a parameter fence, wall or enclosure, the owner or person considered to be in control of such property shall be held liable;
- V. That the MoH consult medical specialists on the adverse health effects of fireworks on the differently-abled and geriatric population and that a public advisory be released for the edification and sensitization of the general public;
- VI. That the Summary Offences Act be amended to include fireworks-related injury as a reportable offence;
- VII. That consideration be given to increasing the fines under Section 79(1) and Section 82 of the Summary Offences Act associated with the torture and maltreatment of animals;

- VIII. That the TTPS act on its contemplation to engage the assistance of the Regional Corporations to identify public spaces (recreation grounds and parks) where residents may gather to discharge fireworks under proper supervision. The TTFS should be included in the implementation of this initiative as supervision may be performed by a safety officer from the TTFS;
- IX. That a robust public education drive be initiated to educate the public on the provisions of the Explosives Act, Chap. 16:02;
- X. During peak periods of firework usage there should be a greater Community Police presence and visibility in areas where there are frequent occurrences of fireworks-related disturbances;
- XI. That the MoNS in its response to this report indicate the number of court orders that were issued during the period 2013-April 2018 for the disposal of fireworks and or other types of explosive devices which were seized by the TTPS or TTFS;
- XII. That the Minister of National Security maintain as a standard that the products imported by licence-holders discharge at a level not exceeding the maximum prescribed decibel level;
- XIII. That as a matter of priority the TTPS seek to improve the enforcement of Section 100 of the Summary Offences Act Chapter 11:02;
- XIV. That the EMA be consulted by the Minister of National Security in addition to the TTPS and TTFS, when consideration is given to the issuance of a new fireworks importation license to an applicant;
- XV. That the input of the Fire Service in processing all applications pertaining to the granting of licenses under the Explosive Act should be mandatory; and
- XVI. That the TTPS executes its mandate as stated in Section 40 of the Explosives Act Chapter 16:02. Furthermore, the TTPS must utilize the necessary equipment to measure the weight of explosives on sale or in the possession of a person who is the holder of retail license.

RECOMMENDATIONS FOR IMPLEMENTATION IN THE MEDIUM-TERM

(To be implemented within 7 months to 12 months of the presentation of the report)

- I. That the MoH collaborate with the EMA, the University of the West Indies and any other competent entities with a view to undertaking a holistic study of the potential and actual health risks associated with the use of fireworks in Trinidad and Tobago;
- II. That a greater role be undertaken by the MALF to promote the proper care of animals especially those that are domesticated;
- III. That review of Section 51 of the Environmental Management Act be conducted to set a maximum decibel level for commercial fireworks with a view to reducing the potential for distress to vulnerable groups within society (i.e. elderly, differently-abled and animals);
- IV. That amendments be made to the existing law to:
 - prescribe designated times, dates and locations for the discharging of fireworks;
 - restrict the quantity of incendiary devices (intended for amusement) that can be purchased by a person who is not a holder of a wholesale or retail license;
 - establish 18 years as the minimum age for the purchase of fireworks. In addition, the word "apparently" as it relates to the stipulated age should be removed from wherever it appears in the Act. In this regard, the burden should be placed on the license holder to establish and prove age.
 - establish that it would be an offense to discharge fireworks or any other form of incendiary device proximate to an airport or air strip; and
 - That fireworks should not be discharged within a certain radius (to be recommended by the Veterinary Association) of any farms/livestock, buildings housing livestock or equids (horses and ponies) in fields;
- V. That amendments be made to the Noise Pollution Control Rules to include provisions regarding sounds emanating from Fireworks;
- VI. That the fines associated with the unauthorized use of fireworks as prescribed under Section 99 and 100 of the Summary Offences Act Chap. 11:02 be increased;
- VII. The establishment of a National Fireworks and Explosives Safety Council comprising a representative cross section of stakeholders;

- XVII. That amendments be made to the existing law to reflect the provisions of Section 7 of the Fireworks Regulations 2004 (United Kingdom) which prescribes a designated time and date for the disbursement of fireworks;
- XVIII. That there be greater collaboration between the TTPS, TTFS, Customs and Excise Division, EMA, Ministry of Health, Regional Corporations, Ministry of National Security and the ODPM to develop policy and an implementation roadmap in order to effectively regulate the use of fireworks;
- XIX. That amendments be made to the existing law to mirror the legislative provisions of countries such as the United Kingdom, India, Australia and New Zealand with regard the storage of fireworks; and
- XX. That the Explosives Act Chapter 16:02 should be modified to accommodate the recent diverse range of fireworks and other related explosives currently on the market.

RECOMMENDATIONS FOR IMPLEMENTATION IN THE LONG-TERM

(To be implemented within 2 years of the presentation of the report)

- I. That the Injury Surveillance System which was piloted at the SFGH be configured to capture data concerning injuries sustained by patients caused by the discharge of incendiary devices; and
- II. That the remit of the EMA's Policing Unit must be expanded to include surveillance of noise caused by the discharge of fireworks and related devices.

INTRODUCTION

Background

The use of fireworks during celebrations

3.1.1 The tradition of celebrating national and cultural events with fireworks is recognized worldwide. Events where fireworks are used as part of the celebrations include:

- Declaring Independence or celebrating Independence Day;
- Telling stories;
- Bringing communities together - The ‘Festival of Lights’ celebrated as Divali;
- Celebrating Christmas;
- Religious Ceremonies; and
- Welcoming the New Year.

Components of Fireworks

3.1.2 According to an article published by the European Respiratory Society², all fireworks contain carbon and sulphur, which are necessary for burning. Moreover, during the production process of fireworks, a range of substances are added such as arsenic, manganese, sodium oxalate, aluminium, iron dust powder, potassium perchlorate, strontium nitrate and barium nitrate (which act as stabilizers), oxidizers and added colours.

3.1.3 The burning of fireworks releases a large amount of air pollutants, particularly sulphur dioxide (SO₂), carbon dioxide (CO₂), carbon monoxide (CO), and particulate matter (PM) along with several metal salts, for example aluminium, manganese, and cadmium.

Laws with provisions related to fireworks

3.1.4 The definition of an “**explosive**” under the **Explosives Act Chapter 16:02**³:

“means gunpowder, nitroglycerine, dynamite, guncotton, blasting powders, fulminate of mercury or of other metals, colored fires, and every other substance, whether similar to those above-mentioned or not, used or manufactured with a view to produce a practical effect by explosion or a pyrotechnic effect; and includes fog

² Limaye S, Salvi S. Ambient air pollution and the lungs: What do clinicians need to know? *Breathe*. 2010; 6: 234–44. <http://breathe.ersjournals.com/content/breathe/6/3/234.full.pdf>

³ Trinidad and Tobago Explosives Act Chapter 16:02. Accessed on March 30, 2017. http://rgd.legalaffairs.gov.tt/laws2/alphabetical_list/lawspdfs/16.02.pdf

signals, **fireworks**, fuses, rockets, percussion caps, detonators, cartridges, ammunition of all descriptions, and every adaptation or preparation of an explosive as above defined”

3.1.5 “**Fireworks**” is specified under the **Summary Offences Act Chapter 11:02**⁴, to include *bombs, torpedoes, squibs, rockets and serpents*.

3.1.6 The Summary Offences Act Chapter 11:02:

99. (1) *Except as prescribed by **Regulations under this Act, any person who throws, casts, sets fire to, or lets off any fireworks within any town is liable to a fine of one thousand dollars (\$1000).*

(2) *In this section and in sections 100 and 101, “town” includes the City of Port-of-Spain, the City of San Fernando, and the Borough of Arima, and every part of the area within two miles of the boundaries of such City or of either of such Boroughs, and also any place or area declared by the Minister, by Order, to be a town or to be deemed to be included within a town for the purposes of the said sections.*

100. *Any person who throws, casts, sets fire to, or lets off any fireworks into, in, or upon any street not being in any town, or into, in, or upon any place being within sixty feet of the center of any such street, is liable to a fine of four hundred dollars (\$400).*

3.1.7 **Fireworks Permits Regulations** (made under Section 101 of The Summary Offences Act): prescribes that “If someone wants to set off fireworks in one of the “banned” areas, permission must be obtained at least forty-eight (48) hours prior, from the Commissioner of Police or a Superintendent with the authority, which will be in writing, prescribing the time and place.”

The dangers and health effects associated with the use of fireworks in Trinidad and Tobago

Noise pollution caused by the use of fireworks

3.1.8 Most fire-crackers transmit more than 80 dB of sound. In addition, fireworks and crackers can produce a noise level of 125 decibels at a distance of four metres from the point it was set off.⁵

⁴ Trinidad and Tobago Summary Offences Act Chapter 11:02. Accessed on March 30, 2017.

http://rgd.legalaffairs.gov.tt/laws2/alphabetical_list/lawspdfs/11.02.pdf

⁵National Campaign for Firework Safety. Accessed on March 30, 2017.

<http://www.angelfire.com/co3/NCFS/science/festivalofnoise.html>

Explosives and fireworks can cause deafness

3.1.9 In an article published by *Newsday*⁶, the Director of (Diagnostic Research Educational and Therapeutic Centre for the Hearing Impaired) DRECHI, Cathryn Donaldson-Baptiste, said explosives such as scratch-bombs and fireworks are harmful to people's hearing and should not be tolerated. She said people who use them for a good laugh or for fun, will not feel the effects of fireworks initially, as they get older their hearing may be impaired. Continued unprotected exposure to noises louder than 85 decibels can be dangerous and may eventually result in hearing loss.

3.1.10 In Trinidad, noise pollution rules under the Environmental Management Act (EMA) arguably ban fireworks since they produce noises in excess of 120 decibels. But the EMA cannot stop persons from making noise.⁷

Serious injuries caused by the use of Explosives and fireworks.

3.1.11 In November 2015, among those seriously injured by Fireworks in Trinidad were an 11-year-old and a 54 year-old man. Three of the 54-year-old man's fingers on his right hand were permanently severed by a firecracker that exploded in his hand.⁸ In addition, 11 patients had to seek medical attention at the SFGH for serious injuries due to firecrackers and other explosive devices used during the Divali festivities.⁹ In Early 2016, a grandmother was seriously injured when a scratch bomb exploded in her hand as she attempted to shield her grandchild from its blast.¹⁰

Vulnerable groups

Elderly and infant persons

3.1.12 The noise generated from fireworks constitutes noise pollution. Noise can have injurious effects on babies, the elderly and at-risk patients. It causes migraines, irritability, hearing loss

⁶ Trinidad and Tobago Newsday. December 28, 2003. *Police promise stronger measures*. Accessed on March 30, 2017. <http://www.newsday.co.tt/news/0,13353.html>

⁷ Trinidad and Tobago Newsday. November 13, 2015, *Man's hand blown off*. Accessed on March 31, 2017. <http://www.newsday.co.tt/news/0,219849.html>

⁸ Trinidad and Tobago Newsday. November 19, 2017. *Police: Leave fireworks to pros*. Accessed on April 3, 2017. <http://www.newsday.co.tt/news/0,220121.html>

⁹ Trinidad and Tobago Newsday. November 13, 2015, *Man's hand blown off*. Accessed on March 31, 2017. <http://www.newsday.co.tt/news/0,219849.html>

¹⁰ *Minister Cuffie promises further action on scratch bombs and fireworks*. Accessed on April 3, 2017. <http://www.news.gov.tt/content/minister-cuffie-promises-further-action-scratch-bombs-and-fireworks#.WjEsTFWnGUK>

and sleep deprivation¹¹. Noise from fireworks can cause distress, especially as fireworks can sound like gunfire. In addition, the noise can also cause tinnitus and deafness, or aggravate a nervous condition¹².

Pets

3.1.13 The excessive noise which emanates from incendiary devices including some type of fireworks have a severe impact on some animals. The effect is more intense on animals with an acute sense of hearing such as dogs.

3.1.14 Fireworks explosions can produce blind panic in animals that may then lead to serious injury, deep-rooted debilitating fears or even death. The ears of most animals are considerably more sensitive than the human ear. Therefore, the explosion of an incendiary device which can emit sounds of up to 190 decibels — 110-115 decibels higher than the 75-80 decibel range, where damage to the human ear begins will be considerably more detrimental to the animal ear.

3.1.15 In December 2016, the Director of the Human and Environmental Care and Management Foundation (HAECMF), Lisa Ramlogan, highlighted concerns from the animal welfare community. She noted that more and more local vets are reporting cases of animals being brought in after scratch bombs were inserted into their mouths and lit.¹³

Conduct of the Inquiry

3.1.16 Prior to the commencement of the public hearings, the Committee issued invitations to specific stakeholders and to the public to present written submissions based on the subject of the inquiry and following objectives:

- 1. To understand the possible impact of fireworks on human health and the extent of injuries associated with the improper use of fireworks;**
- 2. To assess the adequacy of law enforcement measures in place to regulate the use of fireworks and explosives by members of the public; and**

¹¹ 2001. *The EMA's Guide to the noise pollution control rules*. Accessed on April 4, 2017.

http://www.ema.co.tt/new/images/pdf/noisefaq_booklet.pdf

¹² *Effects of fireworks on people, animals and property*. Accessed on April 5, 2017.

<https://www.qld.gov.au/emergency/safety/explosives-fireworks/fireworks/effects-of-fireworks.html>

¹³ *Minister Cuffie promises further action on scratch bombs and fireworks*. Accessed on April 3, 2017.

<http://www.news.gov.tt/content/minister-cuffie-promises-further-action-scratch-bombs-and-fireworks#.WjEsTFWnGUK>

3. To assess the adequacy of the legal framework governing the use of fireworks and explosives by members of the public.

3.1.17 During the period March 15, 2017 to December 15 2017, the Committee conducted public hearings with the following Officials **(See appendix I for details)**:

- Ministry of Health (MoH);
- Ministry of National Security (MoNS);
- Trinidad And Tobago Police Service (TTPS);
- Environmental Management Authority (EMA);
- Animal Welfare Network (AWN);
- Trinidad and Tobago Veterinary Association (TTVA);
- Ministry of Agriculture, Land And Fisheries (MoALF); and
- Fire One Fireworks FX Limited.

3.1.18 Subsequent to the public hearings of March 15, 2017, April 19, 2017 and December 15, 2017, additional information requested was provided.

3.1.19 Oral and written submissions received from the entities appearing before the Committee provided a frame of reference for the Committee's deliberations on the subject inquiry.

3.1.20 The **Minutes of the Meetings** during which the public hearings were held are attached as **Appendix II, III and IV** and the **Verbatim Notes** as **Appendix V, VI and VII**.

KEY ISSUES, FINDINGS AND RECOMMENDATIONS

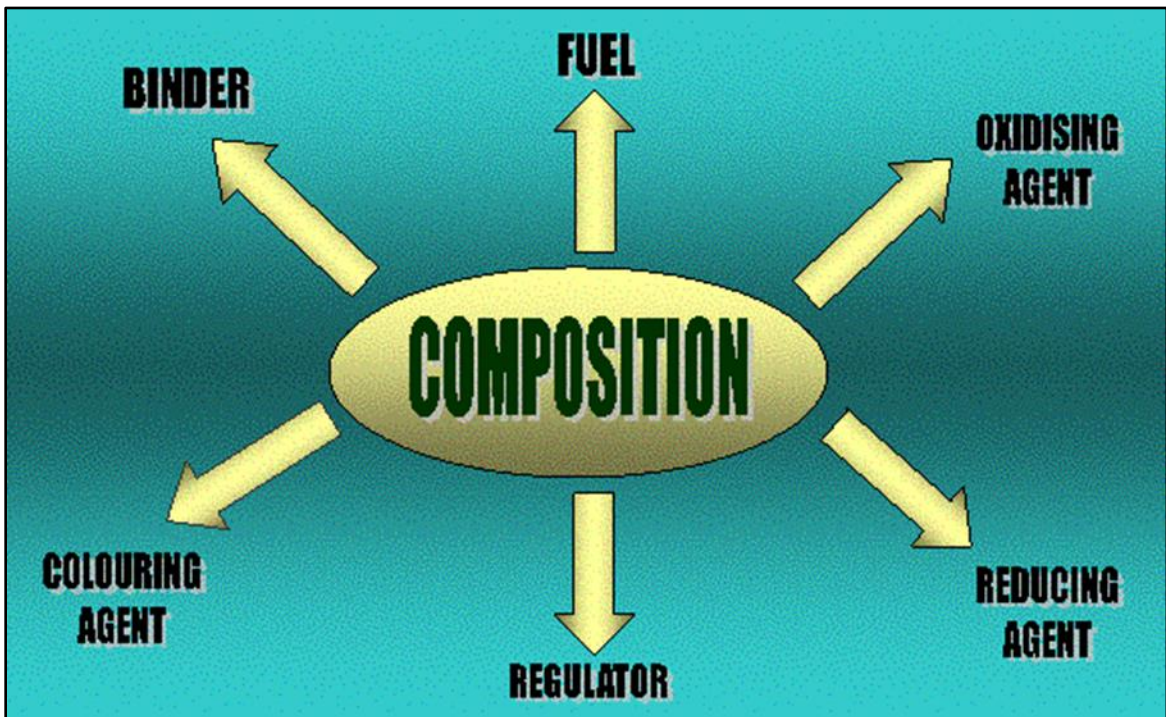
OBJECTIVE 1: To understand the possible impact of fireworks on human health and the extent of injuries associated with the improper use of fireworks.

Fireworks Composition

4.1.1 In a submission dated May 31, 2017 the MoH indicated that the chemistry of fireworks is based on the theory of combustion. The submission stated that the composition of fireworks included the following six (6) vital ingredients which are illustrated in **Figure 1** below.

FIGURE 1:

THE COMPOSITION OF FIREWORKS



4.1.2 The MoH's submission outlined that Charcoal in powder form, commonly known in the pyrotechnic industry as "black powder" is the most common fuel used in fireworks. However, there are several factors that must be considered when dealing with "black powder". The MoH indicated in its submission dated September 22, 2017 that there are different grades of "black powder" on the market, all with varying manufacturing preferences of wholesalers.

Manufacturers classify "black powder" type and grain size with letters and numbers. There are essentially two types:

- i. "G" (sporting grade); and
- ii. "A" (blasting grade)

4.1.3 MoH indicated in their submission that fireworks manufacturers prefer to use the "A" grade. However, the "G" may be used, once special consideration is given to grain size comparisons.

4.1.4 Traditionally, "black powder" comprises a mixture of chemicals which includes: Potassium Nitrate (saltpetre), charcoal and sulphur in a 75:15:10 ratio. The Potassium Nitrate/saltpetre (75%) used in the combination acts as an oxidiser and supplies oxygen for the reaction. Charcoal (15%) provides fuel for the reaction in the form of Carbon (C) and Sulphur (10%), which also acts as a fuel, lowers the ignition temperature and increases combustion speed. It should be noted that commercial "black powder" may be granular or finely powdered.

4.1.5 The ratio of the three ingredients has been used for hundreds of years, with little variation. "Black powder" formulations where the nitrate used is sodium tend to be hygroscopic (absorb moisture), unlike "black powder" where the nitrate used is saltpetre (potassium nitrate). As a result, "black powder" which used saltpetre can be stored unsealed and remain viable for centuries provided no liquid water is ever introduced.

Categories of Fireworks

4.1.6 It was indicated to the Committee by the TTFS in its submission dated April 27, 2017 that fireworks are categorized in accordance with the United Kingdom Fireworks Regulations 2004:

- Category F1- Fireworks which present a very low hazard and negligible noise level and which are intended/or used in confined areas including fireworks which are intended for use inside domestic buildings.
- Category F2- Fireworks which present a low hazard and low noise level and which are intended for outdoor use in confined areas.
- Category F3- Fireworks which present a medium hazard which are intended for outdoor use in large open areas and whose noise level is not harmful to human health.

- Category F4- Fireworks which present a high hazard, which are intended for use only by persons with specialist knowledge and whose noise level is not harmful to human health.

Testing and Analysis of the chemical composition of Fireworks

4.1.7 The testing and analysis of the chemical composition of fireworks falls under the purview of the Chemistry Food and Drugs Division of the MoH. There are two pieces of legislation namely; the Food and Drugs Act and the Regulations Chapter 30:01¹⁴ and the Pesticides Toxic Chemicals Act and Regulations Chapter 30:03¹⁵ which the Chemistry Food and Drugs Division is directly involved in administering.

4.1.8 The Food and Drugs Act and Regulations cover: Food, Drugs, Cosmetics and Medical devices and the Pesticides Toxic Chemicals Act and Regulations cover: Pesticides and Toxic Chemicals where:

- *“Toxic chemical” means any chemical, other than a pesticide antiseptic, disinfectant, drug or preservative, which through its chemical action on life processes can cause death, temporary incapacitation or permanent harm to humans or animals, and includes all such chemicals irrespective of their origin or method of production or use.*

4.1.9 It was indicated to the Committee that the individual chemical components of black powder namely; Potassium Nitrate, Charcoal and Sulphur do not appear on any of the schedules that fall under “toxic chemical”, thereby suggesting that black powder does not satisfy the definition of “toxic chemical” as stated. Similarly, fireworks is also a finished product comprising the above three ingredients and therefore, it is not classified as a ‘toxic chemical’ and would not fall under the mandate of the Chemistry, Food and Drugs Division (CFDD). Since the mandate under the Food and Drugs Act and Regulations and the Pesticides Toxic Chemicals Act and Regulations does not include "fireworks", CFDD would not be designated as the competent regulatory body to conduct the analysis of the chemicals contained in fireworks. As a result, the routine work of CFDD does not entail the testing/analysing of the chemical composition of fireworks.

¹⁴ Trinidad and Tobago Food and Drugs Act and Regulations Chapter 30:01. Accessed on May 8, 2018.

<http://extwprlegs1.fao.org/docs/pdf/tri65777.pdf>

¹⁵ Trinidad and Tobago Pesticides Toxic Chemicals Act and Regulations Chapter 30:03. Accessed on May 8, 2018.

https://rgd.legalaffairs.gov.tt/laws2/Alphabetical_List/lawspdfs/30.03.pdf

Collaboration between the MoH and the Caribbean Industrial Research Institute (CARIRI)

4.1.10 At present no agreement exists between the MoH and the Caribbean Industrial Research Institute (CARIRI) to facilitate collaboration in relation to the testing and analysis of fireworks. However, it was indicated to the Committee that the MoH is considering engaging the services of CARIRI to conduct the testing and analysis of the chemicals contained in fireworks based on the possible adverse health effects.

4.1.11 The Committee was further notified that the chemical composition is determined using an x-ray wavelength dispersive spectrometer (XRF), while the compounds identification is carried out using an x-ray diffractometer (XRD). MoH indicated that CARIRI has provided confirmation that it has the capacity to conduct the testing.

The EMA role in the Testing and Analysis of the chemical composition of Fireworks

4.1.12 The Committee was informed that the EMA has never tested or analysed the chemical composition of Fireworks. However, the EMA has the equipment required to conduct test on the impact of the discharge of fireworks on air quality. The General Manager, Legal, Compliance and Enforcement informed the Committee that consideration will be made to incorporate testing and analysis of the chemical composition of fireworks into the EMA's work plan.

Types of Adverse Health Consequences caused by Fireworks

The adverse effects of the chemicals contained in fireworks

4.1.13 A submission from the MoH indicated that the types of health issues that have been recorded by RHAs and various health institutions as a result of exposure to fireworks includes:

- Burns to the eyes and skin;
- Burns without amputations
- Hearing loss; and
- Amputations.

4.1.14 According to the European Respiratory Society in 2010¹⁶, the burning of fireworks releases air pollutants such as sulphur dioxide, carbon dioxide, carbon monoxide and particulate matter along with several metal salts. Such pollutants can have an adverse impact on a person’s health. The Manager, Technical Services, EMA in oral evidence submitted that some of the chemicals contained in fireworks are toxic and are potential carcinogens which, when released through the discharge of fireworks, has the potential to contaminate surface water and air quality. Furthermore, as it concerns long-term negative effects on human health, it was indicated that there can be negative acute and/or chronic effects.

Physical injuries/issues (including respiratory and auditory) related to fireworks and similar explosives recorded by Regional Health Authorities (RHAs)

4.1.15 Table 1 below illustrates the number of injuries related to fireworks for the period 2013 to 2017. It was indicated to the Committee that the twenty-five (25) cases over the past 6 years ranged from moderate to severe in nature.

TABLE 1:

NUMBER OF INJURIES RELATED TO FIREWORKS RECORDED BY THE INJURY SURVEILLANCE SYSTEM DURING THE PERIOD 2013 TO 2017 AT THE SAN FERNANDO GENERAL HOSPITAL

Category	Years						
INJURY	2012	2013	2014	2015	2016	2017	TOTAL
Fireworks	1	1	4	11	6	2	25

4.1.16 The MoH reported that most of the injuries recorded at the San Fernando General Hospital (SFGH) were as a result of the discharge of scratch bombs.

4.1.17 According to the records of the SFGH in 2015 there were eleven (11) cases that involved serious injuries to patients’ hands, particularly due to scratch bombs. The majority of the patients may have lost one or two fingers. Unfortunately, in those cases where fingers were lost, doctors were unable to reattach them.

4.1.18 Although a newly implemented Injury Surveillance System was piloted at the San Fernando General Hospital to capture incident injuries requiring primary treatment, this system was not

¹⁶ Limaye S, Salvi S. Ambient air pollution and the lungs: What do clinicians need to know? *Breathe*. 2010; 6:234–44.

configured to capture information on injuries specifically sustained due to exposure to fireworks

4.1.19 It was revealed to the Committee that the data on injuries caused by fireworks gathered from the South West Regional Health Authority (SWRHA) does not provide a breakdown by age. However, the majority of persons who sustained injuries were persons under the age of twenty-five (25).

4.1.20 According to MoH in its submission dated March 10, 2017 a total of seven (7) cases of persons aged 12 years and under and two (2) persons within the age range of 13 to 17 years who sustained injuries associated with the discharge of fireworks were reported by the SWRHA over the past 5 years. One (1) case was recorded by the North West Regional Health Authority (NWRHA).

Number of unconfirmed reports of fires and severe injuries caused by the improper use of fireworks over the last five (5) years

4.1.21 Over the last five (5) years, TTFS' inquiries at hospitals have discovered nineteen (19) severe, fireworks-related injuries. However, fireworks-related injuries are not reportable offenses, as indicated at **4.1.16**, and so the TTFS is not required to be informed.

Recorded death caused by trauma associated with fireworks and similar explosives

4.1.22 MoH indicated to the Committee that there has been one recorded death in 2017 over the past 10 years as a result of a fire that was ignited by fireworks.

4.1.23 The TTFS recorded one (1) death which occurred on January 01, 2017 in East Port of Spain.

Recorded adverse health consequences caused by fireworks during Divali and New Year's Celebrations

4.1.24 As previously mentioned at 4.1.17, MoH in their submission indicated that at the SFGH, there were eleven (11) cases recorded in 2015 involving serious injuries to penitents. The youngest

case involved a two (2) year old child. As it relates to cardiovascular and respiratory issues, there were no fireworks-related reports at San Fernando in 2015.

4.1.25 The Head, Accident and Emergency, NWRHA indicated that during the Old Year's period 2017, the injuries observed at the Port-of-Spain General Hospital included burns, amputations and damage to upper extremities, mainly caused by scratch bombs. However, as it relates to cardiovascular and respiratory issues, there were no fireworks-related reports during that period.

4.1.26 It was indicated that not many injuries are seen or recorded during the Divali and New Year's period possibly due to the different type of fireworks used. The committee noted in international literature that different fireworks have different injury patterns.

The Adverse Health Effects of Fireworks on Animals

Pet and animal community in Trinidad and Tobago

4.1.27 The Committee was informed by the Trinidad and Tobago Veterinary Association (TTVA) that there has been an increase in the number of household/domestic pets in Trinidad with a corresponding increase in the number of comfort animals that contribute to the mental wellness of their owners. It was further indicated that Trinidad and Tobago has become more pet conscious.

The role of the Ministry of Agriculture, Land and Fisheries

4.1.28 The Committee was informed that the Ministry's remit is closely aligned to the Animals (Diseases and Importation) Act Chapter 67:02¹⁷ which gives the Ministry some responsibility for animal health and production. Pursuant to the Animals (Diseases and Importation) Act Chapter 67:02 the Ministry is responsible for the control of specific infections/communicable diseases in the domestic livestock populations (cattle, poultry, sheep, goats, horses, and pigs). However, the Ministry is not the designated Competent Authority for treating with issues related to animal welfare in respect of pet/companion animals, or livestock in relation to the impact of fireworks on these animals.

¹⁷ Trinidad and Tobago Animals (Diseases and Importation) Act Chapter 67:02. Accessed on May 8, 2018. <http://tradeind.gov.tt/wp-content/uploads/2016/02/Animals-Diseases-and-Importation-Act-67.02.pdf>

Reports of the adverse effects of fireworks on the pet community

4.1.29 MALF in its submission indicated that based on existing literature, the adverse effects of fireworks on animals include:

- Panic/fear/stress and anxiety;
- Reduced production;
- Loss of appetite;
- Disorientation;
- Stampedes;
- Animals bolting in fear;
- Death from injury;
- Diarrhoea; and
- Poisoning from consuming fireworks fallout.

4.1.30 Dogs' hearing is at least 10 times more acute than the average human. Therefore, the effect of fireworks' noise on dogs is greater than on humans. Unfortunately, animals instinctively try to escape the noise by fleeing from the source of the noise or by trying to hide from it. This fear and panic may result in serious injuries. In addition, most dogs live outdoors and may not be securely confined. They escape from their homes and enter the stray population where they are subject to starvation, injury and death.

4.1.31 According to the TTVA, the actual effects of fireworks on animal health have ranged from physical trauma including burns and appendage loss to physical harm or death sustained as the fleeing animal attempts to escape the area producing the sound. Most of these injuries are caused by road traffic accidents. Moreover, physical injuries also manifest in cuts and scrapes caused by jumping fences and jumping through glass windows as the animal attempts to escape. There has been a proliferation of injuries sustained by pets due to panic reactions caused by the loud explosions. In addition to physical injuries, the mental trauma seems to be the most permanent and most common.

4.1.32 The TTVA advised the Committee that there is photographic evidence of firecrackers being strapped to the heads and extremities of animals. In addition, the Committee was informed

that the TTVA received a number of reports of fireworks being utilized to maliciously injure animals.

4.1.33 An unofficial 2017 survey of 20 veterinary clinics in Trinidad carried out by the AWN, found that 95% reported an overwhelming demand for sedatives immediately before peak periods of fireworks use, 80% reported treating fireworks-related injuries ranging from burns and lacerations to animals hit by cars, and 80% received reports of lost dogs. The survey covered clinics in the North (4), Central (5), East (7) and South (4) regions of Trinidad. There were some differences noted in that Clinics in central Trinidad saw more cases during Divali.

4.1.34 T&TSPCA reported that during the period October 01, 2016 to January 31, 2017, they received 198 calls reporting lost dogs and 36 lost dogs were housed at the shelter. (This TTSPCA’s Shelter generally serves the catchment area of North-West Trinidad).

Noise Pollution

4.1.35 According to the EMA in their submission dated April 10, 2017 “Noise pollution means any disturbance of the environment by a pollutant consisting of sound or other vibrations.” The typical sound pressure level generated by the emission of fireworks typically exceeds the prescribed standards for instantaneous unweighted peak sound pressure levels stipulated in the Noise Pollution Control Rules (please refer to Table 2 below).

TABLE 2:

STANDARDS FOR INSTANTANEOUS UNWEIGHTED PEAK SOUND PRESSURE LEVELS STIPULATED IN THE NOISE POLLUTION CONTROL RULES

ZONE/AREA		PRESCRIBED STANDARDS (instantaneous unweighted peak)	
		DAYTIME (8AM-8PM)	NIGHTTIME (8PM-8AM)
I	Industrial	130db(peak)	
II	Environmentally Sensitive	120db (peak)	115db (peak)
III	General	120db (peak)	115db (peak)

EMA study on the Environmental impacts of use of fireworks

4.1.36 During a public hearing held on December 15, 2017 the EMA was asked by the Committee to carry out an investigation into negative impacts of fireworks, specifically the effects of the noise and air pollutants generated during fireworks discharge. To achieve this, the EMA developed a study to monitor noise levels on Christmas night and on Old Year's night of 2017. Air quality data from the EMA's Ambient Air Quality Monitoring Stations (AAQMS) was examined to determine the impact of fireworks on the air quality during these occasions as well. An excerpt of the EMA's report on its fireworks surveillance exercises conducted during the 2017 yuletide season is detailed below:

- “On December 25, 2017 the exercise was conducted in the general Port-of-Spain area, encompassing St. James to the west and Belmont to the east. A total of six noise monitoring stations, inclusive of the EMA's St. Clair office were selected.
- On January 1, 2018 the exercise was conducted within the Chaguanas area, specifically the: Orchard Gardens, Lange Park and Edinburg 500 communities, and at the EMA's Chaguanas office. All locations within the study areas are classified as Zone 111 – General Area, as specified in the Noise Pollution Control Rules. These areas were chosen based on their proximity to the areas where fireworks discharge would be intense, as well as, to the EMA's AAQMS.”

4.1.37 While these surveillance exercises has limited scope and duration, the data and information gathered was sufficient to reveal that the discharge of fireworks causes an elevation in noise levels beyond the stipulated levels in the Noise Pollution Control Rules.

4.1.38 In relation to air quality, the presence of Saharan Dust in the region during the study period caused the levels of particulate matter to be elevated nationwide and as such no meaningful correlation was established between discharge of fireworks and air quality during the study.

(See appendix VIII for the Preliminary Study on The Environmental Impacts of Fireworks Discharge Conducted by the EMA)

Noise Variation Application

4.1.39 Further to Rule 9 of the Noise Pollution Control Rules stipulates that persons who intend to cause sound in excess of the prescribed standards are required to submit an application to the EMA for a Noise Variation so that a determination could be made on whether or not they should be allowed to emit sounds in excess of the prescribed standard.

The use of Noiseless Fireworks

4.1.40 It was indicated to the Committee by Fire One FX Limited that noiseless fireworks are imported by fireworks wholesalers, however noiseless fireworks are not as popular as the noise creating fireworks which displays colours when discharged.

FINDINGS AND RECOMMENDATIONS

Findings

4.1.41 Based on the preceding evidence/information, the Committee has made the following findings:

- i. Although it may be argued that the use of fireworks and other incendiary devices is relatively seasonal, the Committee received adequate evidence to conclude that fireworks use have caused significant and in many cases irreparable damage to both humans and animals. The mental impact on the geriatric population, the mentally-ill and other vulnerable groups is yet to be scientifically investigated in Trinidad and Tobago;
- ii. Although the capacity for analyzing fireworks exists at CARIRI, the Ministry of Health presented no evidence to suggest that any testing of fireworks was conducted prior to this Committee's inquiry;
- iii. Over the past 3 to 5 years there was a notable number of injuries because of direct encounters with incendiary devices such as "scratch bombs" and firecrackers (not necessarily fireworks and devices used in pyrotechnics). The evidence received underscored that these types of explosive devices are illegally imported and are not usually sold by legitimate license holders;

- iv. The Injury Surveillance System which was piloted at the SFGH is not currently configured to capture data concerning injuries sustained by patients because of incendiary devices;
- v. That the abuse and misuse of scratch-bombs/firecrackers account for most of the recorded firework-related injuries. Moreover, scratch bombs are the main cause of “fireworks-related” injuries to animals and pets;
- vi. Given that the MoALF’s has adopted a literal interpretation of Sections 78 to 90 of the Summary Offenses Act, it would be accurate to state that there are currently, no laws which specifically protect animals from unwarranted harm and cruelty. This committee commends the valiant and selfless contributions of the Animal Welfare Network, Trinidad and Tobago Veterinary Association and TTSPCA and all other NGOs that work tirelessly to secure the welfare of animals. The Committee endorses the position of these organization that specific laws to safeguard the welfare of animals especially domesticated animals are urgently needed;
- vii. There is some ambiguity associated with the Ministry of Agriculture, Land and Fisheries’ interpretation of its obligations under the Summary Offenses Act. Notwithstanding the divergent views on this Ministry’s role, it is clear that greater cross-ministerial and multi-stakeholder collaboration involving is needed to better protect animals from unwarranted harm;
- viii. Based on the chemical analysis produced by the Ministry of Health on the composition of fireworks and the preliminary research done by the EMA, there exist strong evidence to suggest that the excessive or irresponsible use of incendiary devices including some type of fireworks, firecrackers and even worse, “scratch bombs” can produce injuries and even loss of life. These devices also generate potential health hazardous which are manifested in the form of air and noise pollutants;
- ix. Noiseless pyrotechnics are imported by Wholesale companies. However, there is a need for continuous promotion of this type of pyrotechnic as an alternative to the regular type as it is less injurious to humans and animals; and

- x. AWN initiated a program in 2001 on the mitigation of the negative impact of fireworks on the welfare of animals following evidence that companion animals were being lost or injured during the 'fireworks season' i.e. the period between Divali and the New Year. In view of the series of reports recorded as it relates to injuries to animals as a result of illegal use fireworks, the Committee noted that there is a continuous need for mitigation of the negative impact of fireworks on the welfare of animals. **(See Appendix IX for Animal Welfare Network Program on Fireworks Mitigation)**

Recommendations

Given the foregoing, the Committee recommends the following:

- A. With regard to the abuse and misuse of scratch-bombs/firecrackers accounting for the majority of recorded firework-related injuries, we recommend that the TTPS collaborate with the Ministry of National Security to institute the following recommendations:

License Holders

- i. Amend the Explosives Act and or enact regulations to impose sanctions for the importation of these incendiary devices. A holder of a license under the relevant Section of the Explosives Act who is confirmed to have imported such items or similar items would be liable to have his license revoked and will be ineligible to receive a new license for 10 years.

Users of illegal incendiary devices

- ii. Public sensitization campaigns must make it absolutely clear to members of the public that the use of scratch bombs and other related devices are illegal. Specific ads should be tailored to connect with the psyche of children.
- iii. The necessary legislative modifications should be enacted to create offenses and impose appropriate penalties for persons who:
 - Are in possession of these devices;
 - Were proven to have discharged such a device; and
 - Traffic such devices or offers same for sale.

- iv. To address the challenge of ascribing liability, the law should be modified to provide that where it can be proven that an illegal incendiary device was discharged within the compound of any house, dwelling house or business place that is properly secured by a parameter fence, wall or enclosure, the owner or person considered to be in control of such property shall be held liable.

- B. Although there are existing studies in the international arena, the Committee recommends that the MoH collaborate with the EMA, the University of the West Indies and any other competent entity with a view to undertaking a holistic study of the potential and actual health risks associated with the use of fireworks in Trinidad and Tobago;

- C. The Committee recommends as an immediate measure that the MoH consult medical specialists on the adverse health effects of fireworks on the differently-abled and geriatric population and that a public advisory be released for the edification and sensitization of the public;

- D. That the Summary Offences Act be amended to include fireworks-related injury as a reportable offence;

- E. That the Injury Surveillance System which was piloted at the SFGH be configured to capture data concerning injuries sustained by patients caused by the discharge of incendiary devices;

- F. That consideration be given to increasing the fines under Section 79(1) and Section 82 of the Summary Offences Act associated with the torture and maltreatment of animals;

- G. That a greater role be undertaken by the MALF to promote the proper care of animals especially those that are domesticated;

- H. That review of Section 51 of the Environmental Management Act be conducted to set a maximum decibel level for commercial fireworks with a view to reducing the potential for distress to vulnerable groups of society (i.e. elderly, differently-abled and animals). The Committee further recommends that the Minister of National Security maintain as a

standard that the products imported by license-holders discharge at a level not exceeding the prescribed maximum decibel level. In addition to other necessary conditions, the documents accompanying fireworks and other incendiary devices what exceed a specified weight, must clearly state the level of sound (in decibels) that can be produced under normal atmospheric conditions; and

- I. Given that the EMA appears to be the only statutory authority with the resources and means to measure and analyze sound it would be reasonable to suggest that the remit of the EMA's Policing Unit must be expanded to include surveillance of noise caused by the discharge of fireworks and related devices.

OBJECTIVE 2: To assess the adequacy of law enforcement measures in place to regulate the use of fireworks and explosives by members of the public

Use of Fireworks by the Public

4.2.1 Sections 99 and 100 of the Summary Offences Act, Chap. 11:02 deals specifically with enforcement concerning fireworks. It was noted that Section 99 makes provisions for fireworks in any 'town', meaning Port of Spain, San Fernando, the Borough of Arima and every part of the area within two miles of the boundaries of such City or of either of such Boroughs, and also any place or area declared by the Minister, by Order, to be a town or to be deemed to be included within a town for the purposes of the said sections. It also makes the statutory provisions that any person who discharges fireworks in any town must first obtain written permission from the Commissioner of Police.

Enforcement of section 99(1), Summary Offences Act 1921

4.2.2 According to the TTPS, within the last five (5) years, five (5) persons were charged for offences related to the discharge of fireworks, in one (1) case which occurred on November 19, 2016, a gentleman who was driving along the Aranguez Main Road, lit fireworks and threw it onto the roadway in clear view of the police. However, the man was arrested, pleaded guilty and was fined \$400 dollars. It was noted that four (4) of the five (5) persons mentioned, were charged for retailing without a license.

4.2.3 The TTPS revealed that in order to prosecute persons under Section 99(1), of the Summary Offences Act Chapter 11:02, persons must be caught in the act by Police Officers. Alternatively, the person(s) who witness the discharge must co-operate with the police by way of making a statement and must also be prepared to attend Court to give evidence in order to successfully prosecute the alleged offenders.

Designated Parameters for the Discharging of Fireworks and related devices

4.2.4 According to the Section 100 of the Summary Offences Act 1921 Chap. 11:02 *“Any person who throws, casts, sets fire to, or lets off any fireworks into, in, or upon any street not being in any town, or into, in, or upon any place being within sixty feet of the centre of any such street, is liable to a fine of four hundred dollars”*

4.2.5 The TTPS informed the Committee of the challenges associated with enforcing this particular provision of the law. The difficulties stem from the absence of eye-witness accounts of instances where fireworks were discharged within the 60 feet parameter. Moreover, due to the fact that these devices become projectiles when discharged, it is difficult to discern the point of origin. During the public hearing, the Committee suggested that the TTPS should consider using measuring tape to attempt to determine the point of origin.

The Role of the Environmental Management Authority (EMA) in the regulation of the use of fireworks.

4.2.6 The Committee was informed that the EMA has used its discretion under the Environmental Management Act, Chap. 35:05¹⁸, to regulate the noise emitted from fireworks through the Noise Pollution Control Rules.

Noise Pollution Control Rules

4.2.7 The Noise Pollution Control Rules is subsidiary legislation which was created in 2001. The General Manager - Legal, Compliance and Enforcement advised on the process to treat with noise pollution through said Rules, whereby the EMA monitors variations, which are deviations from the ordinary sound pressure level in three (3) areas:

¹⁸ Trinidad and Tobago Environmental Management Act, Chap. 35:05. Accessed on May 8, 2018. https://rgd.legalaffairs.gov.tt/laws2/alphabetical_list/lawspdfs/35.05.pdf

1. General;
2. Environmentally sensitive; and
3. Industrial.

The Role of the Regional Corporations

4.2.8 The Committee noted that there are no provisions in current legislation which prescribe a role to Regional Corporations in regulating the use of fireworks within communities. However, the Committee noted in oral submission by the Deputy Commissioner of Police, Operations (Ag.) that the TTFS has considered obtaining the assistance of the Regional Corporations to identify locations within communities where fireworks can be safely discharged under proper supervision (e.g. recreation grounds). It was suggested that such supervision may be provided by a Safety Officer from the TTFS.

4.2.9 As previously mentioned, the use of fireworks occurs on a seasonal basis, especially during Independence Day, Divali, and Christmas/New Year celebrations. The TTFS provided the Committee with information pertaining to reports lodged in relation to the nuisance discharge of fireworks within communities during the periods August 30 to 31, 2017 and October 16 to 20, 2017. These submissions indicated that:

1. There was **one (1) report** in relation to the nuisance discharge of fireworks within communities to the TTFS during the period August 30 to 31, 2017; and
2. There were **twenty-four (24) reports** in relation to the nuisance discharge of fireworks within communities to the TTFS during the period October 16 to 20, 2017.

4.2.10 For the periods December 23 to 29, 2017 and December 30, 2017 to January 2, 2018 there were **twelve (12) reports** lodged with the TTFS by members of the public in relation with the use of fireworks.

4.2.11 **Two (2) reports** were received during the Christmas/New Year period by the TTFS concerning the use of illegal “scratch-bombs”. These were at the:

- a) St James Police Station District (Western Division) on the December 24, 2017 at around 4:00 p.m.; and
- b) Belmont Police Station District (P.O.S Division) on the December 31, 2017.

(See Appendix IX for further details on reports related to the use of fireworks lodged by members of the public to the TTPS)

4.2.12 Additionally, the EMA reported in its submission that there have been **sixteen (16) complaints** related to fireworks received by the EMA for the period 2015 to 2017. **(See Appendix X).**

The Illegal use of Scratch Bombs and other Related Incendiary Devices

4.2.13 The Committee was informed that scratch-bombs have been saturating the market since 1985. However, scratch bombs are considered illegal and are sold on the ‘black market’. The Committee was also informed that scratch-bombs are not internationally tested and have a higher content of black powder than regular fireworks.

Public awareness initiatives on the dangers associated with fireworks and other explosives
TTPS’s strategies to encourage the proper use of fireworks

4.2.14 The TTPS indicated that it developed and implemented six (6) public awareness strategies with a view to encourage the proper use of fireworks:

1. Community Police Officers to conduct awareness initiatives in Schools. increased patrols as a deterrent to the nuisance use of fireworks within communities;
2. engagement with the general public;
3. announcements on the television program “*Beyond the Tape*”;
4. a press briefing in October 2017 specifically convened to discuss the use of fireworks during Divali celebrations;
5. a press release in October 2017 with regard to the proper use of fireworks during Divali celebrations and the potential impacts of the nuisance use of fireworks within communities; and
6. utilizing

4.2.15 The TTPS also employed some measures and strategies to suppress the illegal use of fireworks during the Christmas/New Year period, which included:

1. Advertisements on traditional and social media to sensitize members of the public about the dangers of the illegal use of fireworks and the consequences for non-adherence to the law;

2. Implementation of increased patrols during the season as a deterrent to the illegal use of fireworks;
3. Officers were instructed to pay particular attention to the illegal use of fireworks during the season in their respective Division; and
4. Law enforcement officers conducted regular checks at vending outlets to ensure that there is compliance with the law of fireworks.

TTFS Public Awareness Programme

4.2.16 The Trinidad and Tobago Fire Service submitted that it has an ongoing education campaign through its Fire Prevention Section, conducting outreach programmes through visits to schools, companies and other forums.

Procedure for the Disposal of Expired Fireworks

4.2.17 The Committee was informed that expired fireworks stored at the Government Magazine are disposed of by the Government through the Defence Force or the TTFS. Generally, fireworks can be disposed of through burning or submerging in water according to the type of fireworks.

4.2.18 The TTFS indicated in a written submission that after the court makes an order for the fireworks to be disposed of, a report is submitted together with the exhibit to the Police Armoury indicating the particulars of the matter and the need for disposal. Prior to disposal, the fireworks will be lodged at the Police Armoury and thereafter submitted to the Trinidad and Tobago Defence Force Reserves for disposal.

4.2.19 It was further indicated that importers with expired fireworks are mandated to return them to the manufacturers. However, the Assistant Chief Fire Officer revealed that the TTFS was not aware whether this was actually practiced by importers.

FINDINGS AND RECOMMENDATIONS

Findings

4.2.20 Based on the preceding evidence/information, the Committee has made the following findings:

- i. The Committee noted that there exists a legislative framework to regulate the use of fireworks, namely the Summary Offences Act, the Explosives Act and the Police Service

Act. However, these provisions must be modified to make regulation and enforcement more practical and probable.

- ii. The Committee noted that Section 7 of the United Kingdom's Fireworks Regulations 2004 stipulates fixed times and dates for the disbursement and display of fireworks and similar provisions should be included in the laws of Trinidad and Tobago;
- iii. Deficiencies in the reporting of the nuisance use of fireworks were noted. Police Officers encounter difficulty in obtaining oral testimonials from witnesses in relation to the nuisance discharge of fireworks in communities. Moreover, most of the reports of the nuisance discharge of fireworks were anonymous which impedes the Police from taking action on complaints received;
- iv. The Committee noted that Sections 100 and 101 of the Summary Offences Act Chap. 11:02 limit the use of fireworks to specified locations, however, the extent to which these stipulations are enforced is highly dubious;
- v. That the regulation of the use of fireworks does not fall directly within the remit of the EMA. However, applying a purposive interpretation of the EMA's remit it may be argued that because the discharging of fireworks is a source of significant noise, which is often a nuisance to persons, the EMA should be directly involved in the regulation of the use of fireworks and related devices. The EMA's involvement should go beyond formal applications for Noise Variations under the Noise Pollution Control Rules;
- vi. The Committee believes that the EMA's Environmental Police Unit should be responsible for the enforcement of Section 79 of the Summary Offences Act. However, due to budgetary constraints, the EMA's Environmental Police Unit is unable to undertake this responsibility and provide greater assistance to the TTPS as it relates to the nuisance use of fireworks;
- vii. The Committee further noted that there is no law restricting the use of fireworks along roadways near to airport runways which may be a potential hazard to civil aviators and associated support systems; and

- viii. That there is an urgent need for greater collaboration between the EMA and other state agencies such as the Ministry of National Security, Customs and Exercise Division and the Ministry of Agriculture, Land and Fisheries, to address issues pertaining to the regulated use of fireworks.

Recommendations

Given the foregoing, the Committee recommends the following:

- A. That as a matter of priority, the TTFS seek to improve the enforcement of Section 100 of the Summary Offences Act Chapter 11:02. Police Officers must be adequately trained and resourced toward this end. Given the challenges in securing eye witness evidence, CCTV cameras should be strategically utilized to gather evidence to be used in court proceedings;
- B. That amendments be made to the existing law to:
- i. Prescribe designated times, dates and locations for the discharging of fireworks;
 - ii. Restrict the quantity of incendiary devices (intended for amusement) that can be purchased by a person who is not a holder of a wholesale or retail license;
 - iii. Establish 18 years as the minimum age for the purchase of fireworks. In addition, the word "apparently" as it relates to the stipulated age should be removed from wherever it appears in the Act. In this regard, the burden should be placed on the license holder to establish and prove age;
 - iv. Establish that it would be an offense to discharge fireworks or any other form of incendiary device proximate to an airport or air strip; and
 - v. That fireworks should not be discharged within a certain radius (to be recommended by the Veterinary Association) of any farms/livestock, buildings housing livestock or equids (horses and ponies) in fields;
- C. That the TTFS act on its contemplation to engage the assistance of the Regional Corporations to identify public spaces (such as recreation grounds and parks) where residents may gather to discharge fireworks under proper supervision. The TTFS

should be included in the implementation of this initiative as supervision may be performed by a safety officer from the TTFS;

- D. That amendments be made to the Noise Pollution Control Rules to include provisions regarding sounds emanating from Fireworks;
- E. That a robust public education drive be initiated to educate the public on the provisions of the Explosives Act, Chap. 16:02;
- F. During peak periods of firework usage there should be a greater Community Police presence and visibility in areas where there are frequent occurrences of fireworks-related disturbances. This will serve as a deterrent to persons engaging in the improper use of fireworks;
- G. That the fines associated with the unauthorized use of fireworks as prescribed under Section 99 and 100 of the Summary Offences Act Chap. 11:02 be increased;
- H. That the relevant agencies who are directly or indirectly involved in this matter should develop and implement strategies to encourage citizens to report the nuisance discharge of fireworks within communities. The Committee recommends utilizing confidential hotlines and forming relationships with community watch groups in this regard;
- I. That the EMA continue to utilize its social media platforms to promote its hotline address as an option for reporting the nuisance use of fireworks;
- J. That there be greater collaboration between the TTFS, TTFS, Customs and Excise Division, EMA, Ministry of Health, MALF, Regional Corporations, Ministry of National Security and the ODPM to develop policy and an implementation roadmap in order to effectively regulate the use of fireworks;

- K. The establishment of a National Fireworks and Explosives Safety Council comprising a representative cross section of stakeholders. The mandate of this Council should include *inter alia*:
- i. Advising the Minister of National Security on matters pertaining to the regulation of explosives including fireworks and related devices;
 - ii. Monitoring the number of incidents of illegal discharges of fireworks and prescribing appropriate strategies for alleviating or preventing the proliferation of illegal discharges;
 - iii. Periodically reviewing the laws, regulations and policies pertaining to the regulation of explosives; and
- L. That the MoNS in its response to this report indicate the number of court orders that were issued during the period 2013-April 2018 for the disposal of fireworks and or other types of explosive devices which were seized by the TTPS or TTFS.

OBJECTIVE 3: To assess the adequacy of the legal framework governing the use of fireworks and explosives by members of the public.

The Legal Framework that governs the use of Fireworks and Explosives by members of the Public

4.3.1 The following primary and secondary legislation is what currently exists:

- (i) Summary Offences Act Chapter 11:02;
- (ii) Fireworks Permits Regulations under Sec. 101 of the Summary Offences Act;
- (iii) Explosive Act Chapter 16:02; and the
- (iv) Noise Pollution Control Rules 2001 as mentioned at 4.2.7 and 4.2.8.

Fireworks Permits Regulations made under section 101 of the Summary Offences Act

4.3.2 These Regulations may be cited as the *Fireworks Permits Regulations*¹⁹. The Regulations provides that:

“The Commissioner of Police or any Superintendent of Police authorized by him in writing may grant to any person or persons a written permission prescribing the time, place and conditions at or on which such person or persons may throw, cast, set fire to or let off any firework or fireworks in a town. The Commissioner or Superintendent of Police so granting permission may at any time cancel or vary such permission.”

4.3.3 The Regulations further provides that applications must be made in writing forty-eight (48) hours prior to the time of intended use. The application must contain particulars of the description of fireworks intended to be thrown, cast, set fire to or let off, and of the particular locality in the town in which such fireworks are intended to be thrown, cast, set fire to or let off.

The Explosive Act Chapter 16:02

4.3.4 The Explosive Act Chapter 16:02 governs the importation, manufacturing, transportation, storage, sale and use of fireworks and other related explosives. **(please see Appendix XI with the provision in the Explosives Act Chapter 16:02 governs the importation, manufacturing, transportation, storage, sale and use of fireworks and other related explosives)**

The Role of the Ministry of National Security in enforcing the Legal Framework that governs the Use of Explosives

4.3.5 The Ministry of National Security (MNS), is responsible for processing applications for licenses for the importation of explosives (including fireworks). The license is signed by the Minister of National Security. The Committee was informed that upon receipt of a request to import fireworks, the Ministry forwards it for review and investigation by the TTFS and the TTIPS.

¹⁹ Trinidad and Tobago Summary Offences Act Chapter 11:02. Accessed on March 30, 2017. http://rgd.legalaffairs.gov.tt/laws2/alphabetical_list/lawspdfs/11.02.pdf

4.3.6 The TTFS is responsible for inspecting the facilities where the explosives are intended to be or have been stored in the past and reporting on the adequacy of the Fire/Life Safety measures in place at said facilities. Furthermore, the Minister of National Security is the only signatory to the license for the importation, transportation, storage and display of fireworks and related explosives.

4.3.7 The TTPS is responsible for determining the suitability of the application for issuing a Road Permit for the transportation of the fireworks. After completing their respective investigations, both agencies are required to indicate their approval of or objection to the issuance of the permit for importing of the explosive/s (fireworks).

Fees associated with applying for a License

4.3.8 TTPS stated that there is a fee at the level of the Magistrate’s Court in the sum of two hundred and fifty dollars (\$250) for a retailer’s license and five hundred dollars (\$500) for a wholesaler’s license. However, there is no fee attached to import licenses.

The quantity of imports

4.3.9 The Custom and Exercise Division supplied the Committee with the total Customs Value of fireworks imported into Trinidad and Tobago over the last five (5) years as detailed in the Automated System for Customs Data (ASYCUDA) System. The statistical details are stated in **Table 3** below.

TABLE 3:

THE TOTAL CUSTOMS VALUE OF FIREWORKS IMPORTED INTO TRINIDAD AND TOBAGO OVER THE LAST FIVE (5) YEARS

Year	Actual TT Dollars	Average	Average US Dollars
2012	\$1,510,277.63	6.45	\$234,151.57
2013	\$2,791,953.10	6.45	\$432,860.94
2014	\$2,064,911.07	6.37	\$324,161.86
2015	\$1,614,651.67	6.43	\$250,605.56
2016	\$1,972,885.68	6.76	\$291,846.99
01/01 -22/06/17	\$ 174,104.50	6.76	\$ 25,755.10

List of Import and Export License Holders

- 4.3.10 There are five (5) import and export license holders in Trinidad and Tobago. Three (3) are import at license holders and one (1) is both an import and export license holder. **(Please refer to appendix XII for the names of persons/organizations who possess a license to import fireworks and/or engage in the wholesale dealership of fireworks.)**

Retail Dealers of Fireworks

4.3.11 The Committee was informed that retailer dealers have to submit an application to the Magistrates' Court, which will then be forwarded to the Senior Superintendent in charge of that particular Division. Subsequently, an investigation will then take place and recommendations will be made, which are then returned to the Court where a Magistrate will adjudicate.

4.3.12 The TTPS advised the Committee that it is kept "routinely aware" of retail licenses which are granted by the Magistrates' Court for the retailing of fireworks through records maintained at each police station. The procedure dictates that:

- When an application for such license is made to the Senior Superintendent of the Policing Division in which the applicant will conduct his/her business, a file is created with all pertinent information. This file will include whether or not the Magistrate granted the license.
- The Senior Superintendent of the Division reviews these files and uses the information therein to identify the vendors which officers are instructed to pay particular attention to.

Inspection of Cargoes Containing Fireworks

4.3.13 The Committee was informed by the Acting Chief Fire Officer that inspection of freight containing fireworks at ports of entry is "not really possible" since some items may be sealed and it can be difficult to identify them since they could be disguised. However, he submitted that the import license is very explicit and stipulates what is supposed to be imported. The quantities and descriptions are normally provided to Officers of the Customs and Excise Division to undertake their duties effectively.

Storage of Fireworks

The role of the Trinidad and Tobago Fire Service (TTFS)

4.3.14 The TTFS supervises the storage, condition of distribution, use of fireworks and related explosives at approved events.

4.3.15 Furthermore, the TTFS is obligated under the Fire Service Act, Chap. 35:50²⁰, and Part V of the OSH Act Chapter 88:08²¹ to inspect all industrial premises. The concern of the TTFS is the suitability of the facility or area for storing explosives. The Committee was advised that these inspections are conducted annually. Subsequent to a risk management inspections, the TTFS would issue a Fire and Life Safety Certificate stating the following:

- That the storage facility is accessible;
- That the storage facility is safe and complies with fire safety regulations; and
- That the fixed installations are in place.

Companies and Location of Storage Facilities

4.3.16 The Committee was informed that all importers of fireworks and other related explosives utilize an approved Government Magazine and also private storage facilities to store their products.

4.3.17 The following **Table 4** is a list of companies/bodies/facilities where fireworks are stored in Trinidad and Tobago.

Table 4:

LIST OF COMPANIES STORAGE FACILITIES FOR EXPLOSIVES IN TRINIDAD AND TOBAGO.

NAME OF COMPANY
1. Super Wholesalers and Distribution Limited
2. Firepower Fireworks
3. First Promotion
4. Xtreme Fireworks
S.K.I.M Marketing and Supplies Ltd

²⁰ Trinidad and Tobago Fire Service Act, Chap. 35:50. Accessed on May 8, 2018.

http://rgd.legalaffairs.gov.tt/laws2/alphabetical_list/lawspdfs/35.50.pdf

²¹ Trinidad and Tobago Occupational Safety and Health Act Chapter 88:08. Accessed on May 8, 2018.

https://rgd.legalaffairs.gov.tt/laws2/alphabetical_list/lawspdfs/88.08.pdf

Types of Fireworks Housed at each Government Magazine

4.3.18 The MNS indicated to the Committee in its submission that there is only one (1) Government Magazine in Trinidad and Tobago as at July, 2017.

4.3.19 **Table 5** indicates the listing of fireworks currently stored at the Government Magazine.

**TABLE 5:
FIREWORKS CURRENTLY STORED AT THE GOVERNMENT MAGAZINE**

TYPE OF EXPLOSIVES	STOCK BROUGHT FORWARD (01/05/17)	STOCK RECEIVED	STOCK ISSUED	REMAINING STOCK ON HAND	REMARKS, INCLUDING CONDITION OF ITEMS
4" Display Shells	51 Boxes	Nil	Nil	51 Boxes	Good
10" Display Shells	25 Boxes	Nil	Nil	25 Boxes	Good
12" Display Shells	18 Boxes	Nil	Nil	18 Boxes	Good
16" Display Shells	4 Boxes	Nil	Nil	4 Boxes	Good
Total No. of Boxes				98	

Rental Fees

4.3.20 Individual/entities that store fireworks at the Government Magazine are required to pay a rental fee of five hundred dollars (\$500.00) per month in accordance with the Section 11 (5) of the Explosives Act, Chapter 16:02.

Inspections of Compounds/Facilities that store fireworks

4.3.21 The Ministry of National Security (in particular the TTFS) advised that that two (2) out of the three (3) importers were in compliance with the conditions of their license. However, one (1) importer was reported as non-compliant and has been in breach of the conditions of his license since 2011. It was later revealed that notwithstanding breaches of his license, the importer was granted further licenses for new imports stored at a different magazine. It was divulged that the issue the TTFS had with the importer stemmed from the quantity of explosives stored at the facility, which was over the stipulated one hundred and fifty (150) pounds, and the conditions under which they were kept. The importer would have received certain instructions

which need to be adhered to within ninety (90) days in order to become compliant. However, the ninety (90) day period expired and the TTFS indicated that it will be moving to revoke the license as it concerns storage of fireworks at that location.

FINDINGS AND RECOMMENDATIONS

Findings

4.3.22 Based on the preceding evidence, the Committee's findings are as follows:

- i. That the Explosives Act Chapter 16:02 does not accommodate the current diverse range of fireworks and other related explosives;
- ii. The legal framework does not designate a role for TTFS. As such, the ability of the TTFS to be fully involved and take decisive and necessary action is thwarted. The Committee noted that there is a need for amendments to be made to the related legislation with a view to vesting the TTFS with the authority/jurisdiction over all areas/facilities where fireworks are stored and the importation specifications pertaining to fireworks;
- iii. That the legislative provisions in the Summary Offences Act do not specify an appropriate time when and space where fireworks can be discharged;
- iv. The Committee further noted the non-compliance of retailers and wholesalers with policies governing the quantity of explosives/fireworks that can be stored at one location; and
- v. The Fireworks Regulations 2004 and Explosives Regulation 2014 (United Kingdom), Explosives Act 1884 and Explosives Rules 2008 (India), Hazardous Substances (Fireworks, Safety Ammunition, and Other Explosives Transfer) Regulations 2003 (New Zealand) and The Explosives Regulation, 2013 made under the Explosives Act 2003 (Australia) are quite comprehensive regarding storage of fireworks. The Committee noted these legislations and regulations can be referenced by the Ministry of National Security and the Ministry of the Attorney General and Legal Affairs during the drafting of the necessary amendments to the Explosives Act Chapter 16:02.

Recommendations

In light of the foregoing, the Committee recommends the following:

- A. That as the competent environmental authority, the EMA be consulted by the Minister of National Security in addition to the TTPS and TTFS, when consideration is given to the issuance of a new fireworks importation license to an applicant;
- B. That the input of the Fire Service in processing all applications pertaining to the granting of licenses under the Explosive Act should be mandatory;
- C. That amendments be made to the existing law to reflect the provisions of Section 7 of the Fireworks Regulations 2004 (United Kingdom) which prescribes a designated time and date for the disbursement of fireworks;
- D. That amendments be made to the existing law to mirror the legislative provisions of countries such as the United Kingdom, India, Australia and New Zealand with regard the storage of fireworks;
- E. That the Explosives Act Chapter 16:02 should be modified to accommodate the current diverse range of fireworks and other related explosives;
- F. That regulations be drafted in relation to Explosives Act Chapter 16:02 for the purpose of effective law enforcement; and
- G. That the TTPS executes its mandate as stated in Section 40 of the Explosives Act Chapter 16:02. Furthermore, the TTPS must utilize the necessary equipment to measure the weight of explosives on sale or in the possession of a person who is the holder of retail license.

Your Committee respectfully submits this Report for the consideration of the Parliament.

Dr. Dhanayshar Mahabir
Chairman

Mr. Esmond Forde, MP
Vice-Chairman

Mrs. Glenda Jennings-Smith, MP
Member

Brig. Gen. (Ret.) Ancil Antoine, MP
Member

Mrs. Christine Newallo-Hosein, MP
Member

Ms. Khadijah Ameen
Member

Mr. Rohan Sinanan
Member

Ms. Allyson West
Member

May 3, 2018

APPENDICES

Appendix I

Persons who appeared and provided oral evidence

Name of Official	Portfolio	Organization
Public Hearing Held on March 15, 2017		
Ms. Lydia Jacobs	Permanent Secretary	Ministry of National Security (MoNS)
Ms. Michelle Pierre Chase	Deputy Permanent Secretary (Ag.)	
Mr. Kenny Gopaul	Chief Fire Officer (Ag.)	
Mr. Narace Rampersad	Assistant Divisional Officer	
Ms. Adelle Rahamut	Senior Legal Officer	
Mr. Deodat Dulalchan	Deputy Commissioner of Police Operations (Ag.)	Trinidad and Tobago Police Service (TTPS)
Mr. Kazim Ali	Legal Officer	
Mr. Richard Madray	Permanent Secretary	Ministry of Health (MoH)
Dr. Roshan Parasram	Chief Medical Officer	
Dr. Robin Sinanan	Head, Accident and Emergency, SWRHA	
Dr. Neal Hinds	Head, Accident and Emergency, NWRHA	
Public Hearing Held on April 19, 2017		
Mr. Claudelle Mc Kellar	Deputy Permanent Secretary	Ministry of Agriculture, Land and Fisheries (MALF)
Dr. Michelle Mellowes	Deputy Director, Animal Production and Health Division	
Mr. Dirk Ramdin	Senior Legal Officer, Legal Service Unit	
Ms. Gayatri Badri Maharaj	General Manager, Legal Compliance and Enforcement	Environmental Management Authority (EMA)
Mr. Wayne Rajkumar	Manager, Technical Services	

Mr. Maurice Wishart	Legal Officer III	
Ms. Patricia Green Ms. Sita Kuruvilla	Chairman Committee Member	Animal Welfare Network (AWN)
Dr. Nicholas Mackenzie Dr. Sabrina Thomas	President Board Member	Trinidad and Tobago Veterinary Association (TTVA)
Public Hearing Held on December 15, 2017		
Mr. Kenny Gopaul Mr. Biaine Wilson Ms. Adelle Rahamut	Deputy Chief Fire Officer Fire Sub. Officer Senior Legal Officer	Ministry of National Security (MoNS)
Mr. Deodat Dulalchan Mr. Kazim Ali	Deputy Commissioner of Police Operations (Ag.) Legal Officer	Trinidad and Tobago Police Service (TTPS)
Mr. Hayden Romano Mr. Wayne Rajkumar Ms. Jenell Partap	Managing Director Managing Technical Services Manager, Legal Services	Environmental Management Authority (EMA)
Mr. Andre Abraham	Chief Executive Officer	Fire One Fireworks FX Limited

Appendix II

MINUTES OF THE TWELFTH MEETING OF THE JOINT SELECT COMMITTEE OF PARLIAMENT APPOINTED TO INQUIRE INTO AND REPORT ON SOCIAL SERVICES AND PUBLIC ADMINISTRATION, HELD IN THE ARNOLD THOMASOS MEETING ROOM (WEST), LEVEL 6, AND THE J. HAMILTON MAURICE ROOM, MEZZANINE FLOOR, OFFICE OF THE PARLIAMENT, TOWER D, #1A WRIGHTSON ROAD, PORT OF SPAIN, ON

PRESENT

Members

Dr. Dhanayshar Mahabir	Chairman
Mr. Esmond Forde, MP	Vice-Chairman
Mr. Rohan Sinanan	Member
Brig. Gen. (Ret.) Ancil Antoine, MP	Member
Mrs. Christine Newallo-Hosein, MP	Member
Ms. Khadijah Ameen	Member

Secretariat

Mr. Julien Ogilvie	Secretary
Ms. Kimberly Mitchell	Assistant Secretary
Ms. Ashaki Alexis	Research Assistant

ABSENT

Mrs. Glenda Jennings-Smith, MP	Member
Ms. Ayanna Lewis	Member (Excused)

CALL TO ORDER AND ANNOUNCEMENTS

- 1.1 The Chairman called the meeting to order at 9:38 a.m. and welcomed those present.
- 1.2 Members were advised that Ms. Ayanna Lewis was appointed to serve on the Committee in lieu of Ms. Nadine Stewart.
- 1.3 Members were also advised that Ms. Lewis asked to be excused from the day's proceedings.

CONFIRMATION OF MINUTES OF THE ELEVENTH MEETING HELD ON FEBRUARY 15, 2017

2.1 The Chairman invited Members to examine page-by-page, the Minutes of the Meeting held on February 15, 2017.

2.2 The Secretariat was asked to verify the term 'licensure' under Item ii (b) (page 5) with the form of words used in the Private Hospitals Act.

2.3 The Chairman suggested that British spelling should be used throughout the Minutes to ensure consistency.

2.4 With reference to Item iv (page 11), the Secretariat was asked to seek clarification on whether the statistics were based on information collated from the QPCC facility.

2.5 There being no omissions or corrections, the Minutes were confirmed on a motion moved by Mr. Forde and seconded by Mrs. Newallo-Hosein.

MATTERS ARISING FROM THE MINUTES

3.1 With reference to Item 6.4 (page 3), it was agreed that once the Ministerial Response is received, the Committee will consider a date for the site visit to the Centre for Socially Displaced Persons. It was further agreed:

- that the Committee will provide the Riverside facility two (2) days' notice of its intention to conduct a site visit; and
- that there would be no need to convene a meeting to set the date for the visit. This will be done by email.

3.2 Reference was made to Item v (page 11) and Ms. Ameen raised the issue of the feasibility of a Parental Responsibility Act. The Chairman indicated that this recommendation will be reflected in the Committee's Report.

3.3 Members were also referred to Item xiv (page 14), and the media attention given to the fact that there are five (5) HIV positive students currently within the school system.

3.4 In this regard, the Chairman expressed the view that based on his observations, there were comments made in the media by high ranking government officials on the issue. He suggested that Ministerial officials should await the completion of the Committee's inquiry before any commenting publicly on the Committee's work.

3.5 The Secretary advised that what should be avoided are public comments by external parties on written evidence presented to the Committee.

3.6 The Secretariat was requested to provide the Committee with information on the rules pertaining to premature publication.

3.7 With reference to Items xiii (page 14) and xxi (page 16), Members requested clarification on the method used to detect STIs since at present there is no Polymerase Chain Reaction Machines.

PRE-HEARING DISCUSSIONS

4.1 The Committee took note of the late submissions from the agencies expected to appear and it was acknowledged that Members may not have had adequate time to review these submissions.

4.2 A discussion then ensued on the approach to questioning that would be adopted during the hearing.

4.3 Members agreed to *inter alia* address the legal framework governing the use of fireworks in Trinidad and Tobago and to inquire about whether there is a distinction between fireworks discharged by individuals and fireworks discharged at events.

OTHER BUSINESS

Vetting of Draft Reports

5.1 The Committee agreed that if Draft Reports that have been approved by the Committee have typos, that the typos be corrected and the Reports be re-sent to Members with a notification of the corrections.

SUSPENSION

6.1 The Chairman suspended the meeting at 10:20 a.m.

PUBLIC HEARING WITH OFFICIALS OF THE MINISTRY OF HEALTH (MoH), THE MINISTRY OF NATIONAL SECURITY (MoNS) AND THE TRINIDAD AND TOBAGO POLICE SERVICE (TTPS)

7.1 The meeting resumed in public at 10:30 a.m. in the J. Hamilton Maurice Room.

7.2 The Chairman welcomed the officials and introductions were exchanged.

7.3 The Chairman reminded those concerned of the objectives of the inquiry.

7.4 Detailed below are the issues/concerns raised and the responses which were proffered during the hearing with the officials of the Ministry of Health (MoH), the Ministry of National Security (MoNS) and the Trinidad and Tobago Police Service (TTPS):

i. Opening Statement by the Permanent Secretary, MoH

- a. It was revealed that some of the adverse health effects of fireworks, based on recent local cases, include burns to eyes, skin and hands, hearing loss and amputations.
 - b. In 2010, the European Respiratory Society revealed that the burning of fireworks releases air pollutants such as sulphur dioxide, carbon dioxide, carbon monoxide and particulate matter along with several metal salts. Such pollutants can also have an adverse impact on a person's health.
- ii. Opening Statement by the Permanent Secretary, MoNS**
The Permanent Secretary indicated that there is a legislative framework, though limited, which governs aspects of the importation, use, distribution and sale of explosives.
- iii. Opening Statement by the Deputy Commissioner of Police, Operations (Ag.)**
The Deputy Commissioner of Police, Operations (Ag.) expressed his pleasure on behalf of the TTPS to be involved in the inquiry, and to assist in identifying gaps and recommendations to ensure proper control and regulation of fireworks in the country.
- iv. Enforcement of section 99(1), Summary Offences Act of 1921**
- a. The Deputy Commissioner of Police, Operations (Ag.) revealed that within the last five (5) years, five (5) persons were charged for offences related to the discharge of fireworks. He highlighted one (1) case which occurred on November 19, 2016, where a gentleman who was driving along the Aranguéz Main Road, lit fireworks and threw it onto the roadway in clear view of the police. The man was arrested, pleaded guilty and was fined \$400 dollars.
 - b. He further clarified that four (4) of the five (5) persons mentioned, were charged for retailing without a licence.
 - c. The Deputy Commissioner of Police, Operations (Ag.) went on to state that the use of fireworks occurs on a seasonal basis, especially around Divali and Christmas time. Police officers would normally respond to several complaints but minimal action can be taken against perpetrators since the calls are made anonymously. He stated that in most instances, the informants do not want to display open support for police action since the incidents would normally involve relatives and neighbors.
 - d. It was indicated that when such calls are received, the police would patrol the particular neighborhood so that their presence can act as a deterrent. However, fireworks can be used any day and any time except for three (3) prescribed areas and once it is used sixty (60) feet within the premises.

- e. The Legal Officer, TTPS revealed that in order to prosecute persons they must be caught in the act by Police Officers. Alternatively, , the person/s who witness the discharge must co-operate with the police by way of making a statement and must also be prepared to attend Court in order to successfully prosecute alleged offenders.

v. Number of persons charged under sections 35(1) and (3) of the Explosives Act Chap. 16:02

The Permanent Secretary indicated that this information would have to be sought from the Commissioner of Police. She however indicated that through the Minister of National Security, the Ministry is responsible for liaising with the police and the Chief Fire Officer before a licence is granted.

vi. Number of licenses issued in 2016

The Chief Fire Officer indicated that he did not have accurate figure but stated that the applications are received from the MoNS and the Trinidad and Tobago Fire Services (TTFS) would normally review the conditions for the transport and storage of the fireworks.

vii. Surveys undertaken by the TTFS of compounds/facilities that store fireworks

- a. The Chief Fire Officer stated that the TTFS has responsibility for the safety and security of the public in attendance to public places. He indicated that the TTFS is aware of three (3) main importers of fireworks in Trinidad who are subjected to fire certification on a biannual basis.
- b. The TTFS would normally conduct visits to the facilities of these importers and from these, the Chief Fire Officer was be able to determine that two (2) out of the three (3) importers were in compliance with the conditions of the licence. The importer that was not in compliance has been in breach of the conditions of his licence since 2011.
- c. In response to a question asked about sanctions for non-compliance, the Chief Fire Officer indicated that instituting sanctions was an ongoing process and this matter had not reached the Court. He further indicated that the TTFS was working with the Occupational Safety and Health Authority and Agency (OSH Agency) and the MoNS to ensure that the importer becomes compliant.
- d. It was later revealed that this particular importer was granted further licenses for new imports stored at a different magazine. The Chief Fire Officer divulged that the issue the TTFS had with the importer stemmed from the amount kept, which was over the stipulated one hundred and fifty (150) pounds, and the conditions in which they were kept.
- e. The Chief Fire Officer also indicated that the TTFS did not recommend this particular importer for his import licence in 2011 due to issues at one (1)

particular retail outlet used for storage. However, the importer has been importing fireworks right up to 2017 and has been recommended for import licenses for storage at the government magazine in Chaguaramas.

- f. The Assistant Chief Fire Officer clarified the issue by indicating that the majority of explosives brought in by the importer would be stored at the (Government) magazine in Chaguaramas, so that once what is imported can be comfortably stored at the magazine, there would be no objections to the import licence.
- g. The Chief Fire Officer revealed that the retail outlet is located at Macoya and the importer would have received certain requirements that needed to be sorted within ninety (90) days in order to receive compliance. However, the ninety (90) day period expired and the TTFS indicated that it will be moving to revoke the licence as it concerns storage of fireworks at that location.
- h. In response to a hypothetical question posed on a fire at that facility, the Chief Fire Officer indicated that there are about twenty (20) to thirty (30) metres between that building and others and the type of fireworks stored there does not have a mass explosive hazard so the TTFS would be able to handle such a fire if it were to occur. He also stated that the fireworks that have a massive explosive hazard are sent to the government magazine.

viii. Distinction between fireworks for public display and fireworks for events

- a. The Legal Officer, TTFS indicated that sections 99 and 100 under the Summary Offences Act, Chap. 11:02 deal specifically with enforcement concerning fireworks. He stated that section 99 makes provisions for fireworks in any 'town', meaning Port of Spain, San Fernando and the Borough of Arima.
- b. Section 99 also makes the provisions that any person who discharges fireworks in any town must first obtain written permission from the Commissioner of Police.
- c. The Legal Officer then clarified that the Act does not make a distinction regarding who sets off fireworks.

ix. Has the Trinidad and Tobago Fire Services ever conducted a weighing exercise on fireworks?

The Assistant Chief Fire Officer stated that commercial fireworks carries less than 0.8 grams, while the larger commercial fireworks carries two (2) grams so that fireworks that may weigh eight (8) pounds may not actually carry that amount of explosive mixture.

- x. Retail licenses and the process for retailers**
- a. The Deputy Commissioner of Police, Operations (Ag.) indicated that authorized dealers should sell to persons to retail once those persons have a licence. He further indicated that depending on the amount of money any one citizen may have, he/she can purchase any amount of fireworks from wholesale dealers. But retailers are not supposed to have more than thirty (30) pounds of fireworks in their possession.
 - b. Retailers have to make an application to the Court, which will then be forwarded to the Senior Superintendent in charge of that particular division. An investigation will then take place and recommendations will be made, which are then returned to the Court where a Magistrate will adjudicate.
 - c. Persons who want to apply for a licence to sell and retail fireworks must apply for a licence under the Explosives Act, Chap.16:02. There are two (2) licenses, one (1) for a retail dealer and one (1) for a wholesale dealer. Wholesale dealers have no restrictions in terms of who they can sell to. They can sell retail to another person or can sell to a retail dealer.
- xi. Signatories on licenses for the importation, transportation and storage of fireworks and other related explosives**
- a. It was indicated that the Minister, MoNS is the only signatory to the import licence.
 - b. The TTFS and the TTPS both have an input before the licence is granted. They both have to submit reports and agreement to the application. In addition to Customs and Excise, the Commissioner of Police, the Chief Fire Officer, the Senior Superintendent, and the Chief Executive Officer/Executive Director of the OSH Agency are also given copies of the licence.
- xii. Number of unconfirmed reports of fires and severe injuries caused by the improper use of fireworks over the last five (5) years:**
- a. The Chief Fire Officer revealed that the TTFS only had one (1) death on record which occurred on January 01, 2017 in East Port of Spain.
 - b. He further indicated that over the last five (5) years, there were nineteen (19) severe injuries which were discovered from the TTFS' inquiries at hospitals. Fireworks related injuries are not reportable offences and so the TTFS is not required to be informed.
- xiii. Are importers also granted licenses to sell domestically?**
- The Deputy Permanent Secretary (Ag.), MoNS stated that licenses granted by the Minister of National Security are solely for importation purposes. A copy of the licence is then sent to the Customs and Excise Division.

xiv. Regular checks by the TTPS of retailers that sell fireworks to ensure compliance

The Deputy Commissioner of Police, Operations (Ag.) indicated that the police do undertake checks but admitted that there were shortcomings and that all retail outlets ought to be checked to ensure compliance with stipulated guidelines.

xv. Purpose of the injury surveillance system

a. The Chief Medical Officer stated that the system is only in operation at the San Fernando General Hospital and is an IT driven system, which has a number of “drop boxes” for types of injuries. It does not however, include fireworks related injuries as a specific type of injury since it is not a reportable disease or condition.

b. It was however indicated that such injuries can be added as a field in the IT system if it becomes relevant. The Chief Medical Officer stated that the twenty-five (25) cases (over the past 5 years) would have been of a moderate to severe nature that presented at the emergency department. Minor burns, and singeing of eye lashes for example may not be presented at the Accident and Emergency Department. He therefore surmised that it was a matter of an under-reporting of cases.

xvi. Nature of injuries presented at the Accident and Emergency Department

In the South-West region, the injuries were related to scratch bombs and such injuries fall under the category of burns to hands, and mainly burns without amputations. The Chief Medical Officer then divulged that the local data pointed to injuries caused by scratch bombs in particular.

xvii. Types of adverse health consequences caused by fireworks

a. At the San Fernando General Hospital, there were eleven (11) cases in 2015 that involved serious injuries to patients’ hands particularly due to scratch bombs. The majority of the patients may have lost a finger or two (2). The youngest case involved a child between the ages of two (2) to three (3). It was also indicated that in those cases where fingers were lost, doctors were unable to reattach them.

b. These cases presented over a three (3) day period during Divali 2015. The Head, Accident and Emergency South West Regional Health Authority (SWRHA) stated that not many injuries were seen over the Old Year’s period possibly due to the different type of fireworks used. He revealed that international literature stated that different fireworks have different injury patterns. However, as it related to cardiovascular and respiratory issues, he did not observe any significant increases at San Fernando.

c. At Port-of-Spain General Hospital, for the Old Year’s period, the Head, Accident and Emergency North West Regional Health Authority (NWRHA), indicated

that the injuries observed were those of burns, amputations and damage to upper extremities, mainly caused by scratch bombs. Like his colleague from the SWRHA, he also did not observe any increases in cardiovascular or respiratory issues during that period.

xviii. Prevalence of injuries amongst children

- a. The Head, Accident and Emergency SWRHA stated that the data gathered from the SWRHA did not provide a breakdown by age. However, in his experience, the majority of persons who sustained injuries were young persons before the age of twenty-five (25).

xix. Sixty (60) feet perimeter needed to discharge fireworks

- a. The Deputy Commissioner of Police, Operations (Ag.) informed all present that persons who discharge fireworks within sixty (60) feet of the centre of a street are liable to be fined four hundred (400) dollars.
- b. He further indicated that the TTPS would engage schools since children are mainly involved in the discharge of fireworks. The TTPS would inform the children of the effects and hazards of using fireworks.

xx. Engagement of Regional Corporations

The Deputy Commissioner of Police, Operations (Ag.) submitted that the TTPS was considering the assistance of the Regional Corporations in identifying locations within communities, for example recreation grounds, where fireworks can be safely discharged under proper supervision. Such supervision may come in the form of a safety officer from the TTFS.

xxi. Lack of local data

- a. The Chief Medical Officer agreed there should be proper data collection and stated that the Injury Surveillance System was really a pilot initiative that would be transplanted to the other RHAs. He revealed that the international research he quoted, many of those countries used retrospective studies since they themselves did not capture the required data probably due to the fact that fireworks related injuries are not a significant cause of disease in those countries.

xxii. Inspection of cargoes containing fireworks

- a. The Chief Fire Officer indicated that inspection of freight containing fireworks is “not really possible” since some items may be sealed and it can be difficult to identify them since they could be disguised.
- b. He also stated that under the Summary Offences Act and the Explosives Act, there would not have been a Fire Services in existence at that time so there is no defined role for the TTFS within those laws. The TTFS therefore has no

authority to check containers. However, under the Fire Service and OSH Acts, the TTFS derives its responsibilities.

- c. The Permanent Secretary, MoNS stated that the import licence is very explicit and states everything that is supposed to be imported, the quantities and descriptions, which are normally provided to Officers of the Customs and Excise Division to undertake their duties effectively.

xxiii. Timeline for ordering fireworks

The Deputy Permanent Secretary (Ag.), MoNS stated that based on the Ministry's experience, dealers would normally just 'top up' stocks. The life of an import licence is limited to one (1) year from the date the Minister, MoNS signed it. There is also no limit to the quantity of items an importer can import via his/her licence. In most instances the dealer does not necessarily bring in all the items in one (1) cargo but has the entire year to do so.

xxiv. Total quantity of fireworks in Trinidad and Tobago

The Permanent Secretary, MoNS revealed that the Ministry would only be able to state the number of licenses that were granted approval and cannot account for what comes into the country on an incremental basis. She clarified by saying that the MoNS can account for what is at the government magazine.

xxv. Possible hold on the issuing of new licenses until there is a proper monitoring and regulatory system in place

- a. The Deputy Commissioner of Police, Operations (Ag.) indicated his concurrence with this possible measure while the Permanent Secretary, MoNS indicated that she would like to acquire a holistic understanding of the situation before she commits to such as measure.
- b. The Permanent Secretary, MoNS clarified her position in light of the fact that the Ministry has not issued any new licenses for fireworks since 2014.
- c. The Chief Fire Officer indicated that emphasis should be placed on the end user and further added that there should be no hold/ban on the importation of fireworks. It should be imported and retailed to specific persons who are trained and meet certain criteria. He supported the idea of a central area within each community for fireworks displays but cautioned that this should be regulated in terms of the number of persons allowed at the location, the timing of the event and that there be the required supervision.

xxvi. Possible use of 'soundless' fireworks and collaborations among Ministries on this matter

- a. The Chief Medical Officer indicated that there is no collaboration that he is aware of with the MoNS. However, the MoH's vet public health department has

provided statistics related to animals and the impact of fireworks on the animals. There is in-house collaboration and collaboration with the MALF as well.

- b. Fireworks in Italy were banned largely due to the effect on the animal and geriatric populations and there are great benefits of using 'soundless' fireworks in that regard. The Chief Medical Officer revealed that the MoH was looking at the impact of such legislation in those countries to see if there might be any application to local legislation.
- c. He further indicated that once all the research has been compiled, the MoH will then approach the MoNS to provide the evidentiary support for suitable recommendations to amend the legislation.

xxvii. Procedure for the disposal of expired fireworks

- a. Expired fireworks stored at the government magazine are disposed by the Government through the Defence Force or the TTPS. Generally, fireworks can be disposed through burning and by drowning in water according to the type of fireworks.
- b. Importers with expired fireworks are supposed to return them to the manufacturers. However, the Assistant Chief Fire Officer revealed that he cannot state whether or not this was actually practiced by importers.

xxviii. Potential negative effect of fireworks on pilots/aircraft

- a. The Deputy Commissioner of Police, Operations (Ag.) divulged that there is no law regarding the use of fireworks away from roadways that can impede pilots. He therefore suggested that a stipulation be made that there be no fireworks in the areas proximate to airports or the flight path of an aircraft.
- b. He also suggested that there be a role for the Bureau of Standards as it concerns the quality of fireworks being stored.

xxix. Fees associated with applying for a licence

The Legal Officer, TTPS stated that there is a fee at the level of the Magistrate's Court in the sum of two hundred and fifty dollars (\$250) for a retailer's licence and five hundred dollars (\$500) for a wholesaler's licence. There is no fee attached to import licenses.

xxx. The TTFS' Public Education Campaign

The Chief Fire Officer indicated that the TTFS' campaign was intensified over the last few years and stated that the aim was to ensure a proactive approach to fire safety and public safety. He mentioned that fireworks is just one part of the public education campaign and that they also train persons both foreign and locally to be part of the fire prevention section.

xxxii. Recommendations proffered during the public hearing:

The following recommendations emanated during the discussions:

- a. the need for greater community police presence and visibility in areas where there are high occurrences of fireworks related disturbances. This will serve as a deterrence to persons engaging in improper use of fireworks;
- b. that the legislative framework be reviewed as it concerns the granting and issuance of wholesale licenses;
- c. that the use of scratch bombs be restricted or banned;
- d. that studies be conducted into cases of children with reported fireworks related injuries;
- e. that research be conducted at all health facilities with reference to the health effects associated with the use of fireworks;
- f. that research be undertaken to assist in the enforcement of the current legislation;
- g. that the Regional Corporations be engaged to obtain assistance in regulating the discharge and use of fireworks within communities;
- h. that the fines associated with conducting sales without a licence and the improper use of fireworks be increased;
- i. that persons purchasing a particular amount of fireworks from retailers should apply for and present a licence when purchasing;
- j. that no fireworks be discharged in areas proximate to airports or the flight path of aircrafts;
- k. that the legal age a person can purchase fireworks be increased from sixteen (16) to eighteen (18);
- l. that the amount of fireworks that can be purchased by a household be limited;
- m. that fireworks related injuries become a reportable offence; and
- n. that there be greater collaboration between the Trinidad and Tobago Police and Fire Services, Customs and Excise Division, EMA, Ministry of Health, Regional Corporations, the Ministry of National Security and the ODPM in order to effectively regulate the use of fireworks.

Requested information

9.1 Further to the discussions the Committee requested the following information:

- a. the number of licenses granted in 2016;
- b. data concerning the prevalence of injuries amongst children, particularly those under the age of twelve (12);
- c. a specimen of the Import Licence; and
- d. the names and contact information of technical experts in the field of medicine who can advise the Committee on the adverse effects of fireworks on the geriatric population.

ADJOURNMENT

10.1 The meeting was adjourned at 12:18 p.m.

I certify that these Minutes are true and correct.

Chairman

Secretary

April 12, 2017

Appendix III

MINUTES OF THE THIRTEENTH MEETING OF THE JOINT SELECT COMMITTEE OF PARLIAMENT APPOINTED TO INQUIRE INTO AND REPORT ON SOCIAL SERVICES AND PUBLIC ADMINISTRATION, HELD IN THE ANR ROBINSON MEETING ROOM (WEST), LEVEL 9, OFFICE OF THE PARLIAMENT, TOWER D, #1A WRIGHTSON ROAD, PORT OF SPAIN, ON

WEDNESDAY APRIL 19, 2017

PRESENT

Members

Dr. Dhanayshar Mahabir	Chairman
Mr. Esmond Forde, MP	Vice-Chairman
Mr. Rohan Sinanan	Member
Brig. Gen. (Ret.) Ancil Antoine, MP	Member
Mrs. Christine Newallo-Hosein, MP	Member
Ms. Ayanna Lewis	Member

Secretariat

Mr. Julien Ogilvie	Secretary
Ms. Kimberly Mitchell	Assistant Secretary
Ms. Ashaki Alexis	Research Assistant

ABSENT

Mrs. Glenda Jennings-Smith, MP	Member (Excused)
Ms. Khadijah Ameen	Member (Excused)

CALL TO ORDER AND ANNOUNCEMENTS

- 1.4 The Chairman called the meeting to order at 9:35 a.m. and welcomed those present.
- 1.5 Members were advised that Mrs. Jennings-Smith and Ms. Ameen asked to be excused from the day's proceedings.

CONFIRMATION OF MINUTES OF THE TWELFTH MEETING HELD ON MARCH 15, 2017

- 2.1 The Chairman invited Members to examine page-by-page, the Minutes of the Meeting held on February 15, 2017.

2.2 The Minutes were amended by deleting the word 'be' from the sentence at item vii (on page 5).

2.3 There being no further omissions or corrections, the Minutes were confirmed on a motion moved by Mrs. Newallo-Hosein and seconded by Mr. Forde.

MATTERS ARISING FROM THE MINUTES

3.1 With reference to:

- a. Item 2.2 (on page 2), Members were informed that the term 'licensure' does not appear in the Private Hospitals Act, but according to the Oxford Dictionary, refers to the 'granting of a licence, in particular, to carry out a trade or profession.'
- b. Items 2.4 and 3.7 (on page 2), the Chairman indicated that a response was expected by April 12, 2017.
- c. Item 3.1 (on page 2), Members were informed that the Ministerial Responses of the Ministry of Social Development and Family Services and the Ministry of Health were not received. Members were also informed that the Responses were overdue.
- d. Item 3.6 (on page 2) Members were referred to Standing Order 103 of the Senate and 113 of the House regarding the premature publication of evidence.
- e. Item 9.1 (on pages 12 and 13), Members were informed that the Response of the Ministry of National Security was received and circulated during the meeting and that the Response from the Ministry of Health was expected by April 21, 2017.

3.2 The Chairman requested that the Secretariat examine the Verbatim Notes of the public hearing at which officials of the TTPS and TTFS appeared in order to verify the statements made by these entities regarding their involvement in the granting of licenses for the import of fireworks.

3.3 He indicated that there appears to be a contradiction between what was said at the hearing and the specimen of the license provided to the Committee. It was recommended that the Secretary should write to the relevant authority to get clarification on this matter.

3.4 The Secretariat was also requested to conduct research into the legislation concerning fireworks to determine whether any amendments were made to specifically to prohibit scratch bombs.

3.5 The Chairman recommended that the Committee should obtain the expert opinion of the Chemistry/Food and Drugs Division on whether there was an expiry date for gun powder.

PRE-HEARING DISCUSSIONS

4.4 The Chairman expressed his dissatisfaction with the pre-hearing submissions submitted by the agencies and would refer to laws governing each entity when posing his questions.

4.5 Members were reminded that the Environmental Management Authority (EMA), the Animal Welfare Network (AWN), the Trinidad and Tobago Veterinary Association (TTVA) and the Ministry of Agriculture, Land and Fisheries (MALF) would be appearing before the Committee.

4.6 A discussion then ensued on the approach to questioning that would be adopted during the hearing.

4.7 Members were advised to sufficiently probe the entities in order to obtain the desired response.

OTHER BUSINESS

5.1 Members discussed the issue of scratch bombs and considered whether:

- a. A definition was needed; and
- b. it can be captured within the overall term of 'explosive devices'

List of Proposed Inquiry Topics

5.2 Members were reminded that the list of proposed Inquiry Topics for Members' selection was circulated by email on April 05, 2017.

5.3 The Chairman indicated that his priority topics were the following:

- a. Mental Health in Trinidad and Tobago, as an extension of the inquiry into the Geriatric Care Facilities; and
- b. The disabled population, not only those with mobility issues but those that are hearing impaired.

5.4 The Chairman indicated that he was advised by the Secretary that the Committee on Human Rights, Equality and Diversity investigated issues affecting the disabled population. However, he held that there would be different areas to be explored such as the availability of facilities for the visually impaired and the issue of discrimination as it relates to employment.

5.5 Mr. Forde also identified the “disabled population” and “health and safety standards observed in primary and secondary schools” as his preferred topics for inquiry.

5.6 Members were asked to rank the topics on the list in order of priority. Mrs. Newallo-Hosein suggested that the Committee should examine the TCCTP (“Food Card Programme) and public sector reform initiatives.

5.7 The Chairman requested that Members confirm their priority topics by the end of day.

SUSPENSION

6.1 The Chairman suspended the meeting at 10:28 a.m.

PUBLIC HEARING WITH OFFICIALS OF THE ENVIRONMENTAL MANAGEMENT AUTHORITY (EMA), ANIMAL WELFARE NETWORK (AWN), TRINIDAD AND TOBAGO VETERINARY ASSOCIATION (TTVA), AND MINISTRY OF AGRICULTURE, LAND AND FISHERIES (MALF)

7.1 The meeting resumed in public at 10:35 a.m. in the A.N.R Robinson Meeting Room (West).

7.2 The Chairman welcomed the officials and introductions were exchanged.

7.3 The Chairman reminded those concerned of the objectives of the inquiry.

7.4 Detailed below are the issues/concerns raised and the responses which were proffered during the hearing:

xxxii. Increase in the number of comfort animals in the country over the last five years

The President, TTVA, stated that there has been an increase in the number of household/domestic pets in Trinidad with a corresponding increase in the number of comfort animals that can assist persons with mental illness. He also stated that in his opinion, Trinidad and Tobago has become more pet conscious due to Cable TV channels such as Animal Planet.

xxxiii. Whether animal deaths are directly related the noise emanating from fireworks or are caused by the animals reactions

- a. The President, TTVA indicated that animal deaths have occurred due to incidents following the discharge of fireworks and the noise emanating from fireworks. He stated that animals can become so anxious that they go into a state of panic and die from seizures, heart failure or underlying medical conditions aggravated by the noise from fireworks.

- b. The TTVA has had a number of animal deaths reported on the night of fireworks displays, or on the days immediately following the displays.

xxxiv. Do explosive devices which create noise in the atmosphere fall under the remit of the EMA

- a. The General Manager, Legal, Compliance and Enforcement indicated that the *Noise Pollution Control Rules* were implemented in 2001 and that the EMA treats with noise related to static devices and not mobile sources of sound. It was further clarified that the difficulty in monitoring the sound/noise emanating fireworks was due to the fact that the EMA's legislation makes provision for enforcement through the measurement of sounds. However, in the case of fireworks displays, EMA Officers are not present to measure the sound.
- b. It was also indicated that noise from motor vehicles does not fall under the purview of the EMA, and while the Authority deals with noise from fireworks as it relates to the noise variation process, the Authority holds there are other bodies empower by the law to deal with this matter. The General Manager, Legal, Compliance and Enforcement stated that in the matrix of state bodies, the EMA is the last agency to treat with fireworks.

xxxv. Ability of the EMA to make recommendations to the Ministry of National Security (MoNS)

The General Manager, Legal, Compliance and Enforcement disclosed that there is nothing preventing the EMA from providing recommendations to the MoNS based on scientific research.

xxxvi. Studies undertaken by the EMA in relation to the decibel level of an explosive device or explosive devices during a fireworks explosion or display

The General Manager, Legal, Compliance and Enforcement indicated that no such studies have been undertaken by the EMA, but it is something that can be considered by the EMA's Noise Advisory Council.

xxxvii. Role of the MALF in enforcing sections 78 and 79 of the Summary Offences Act

- d. The Deputy Permanent Secretary indicated that he was aware of the provisions of Sections 78 and 79 of the Summary Offences Act. However, it was revealed that when the legislation was crafted, the role of the MALF in the provision of oversight of the care of animals was not considered.
- e. The Ministry's remit is closely aligned to the Animals (Diseases and Importation) Act which gives the Ministry responsibility for animal health and control of infectious diseases. The issue of animal health is of concern to the

Ministry, however its concerns primarily lie with animals kept for food production purposes such as pigs, goats and cows etc.

- f. The Deputy Permanent Secretary indicated that he was unsure whether the provisions of Sections 78 and 79 of the Summary Offences Act falls solely within the MALF's remit. He did, however indicate that as societies become more enlightened, roles can evolve and the MALF will consider whether the provisions should form part of the Ministry's responsibilities.
- g. He further disclosed that from his Ministry's investigations, there was no receipt of reports from primary stakeholders such as farmers, livestock owners and general citizens about the ill effects of fireworks on animals. However, in light of the possibility of such reports being lodged elsewhere, the Deputy Permanent Secretary indicated that the Ministry has a responsibility to undertake wider consultation regarding the issue.

xxxviii. Observations of the AWN as it relates to the effects of explosive devices (fireworks) on pets (dogs and cats)

- a. The Chairman stated that the Network noticed a proliferation of injuries sustained by pets due to panic reactions caused by the loud explosions. She also stated that it communicates with a number of veterinary clinics across the country.
- b. The Network undertook an informal survey recently which suggested that there was a definite increase in the number of pets with fireworks related injuries appearing at clinics, particularly during Divali and shortly after New Year's.
- c. The survey also revealed that there has been an increase in the number of requests for tranquilizers at veterinary clinics. The AWN was advised that animals cannot be tranquilized throughout an entire season.
- d. The Chairman indicated that the Network receives reports through emails, Facebook and telephone concerning lost dogs and cats, and of animals seen running along major roads and highways due to the noise caused by fireworks. She stated that many of the animals are either injured or killed and have also caused injuries to humans.

xxxix. Whether tranquilizing animals from October to January can be considered as cruel and unusual punishment

- a. The President TTVA, indicated that sedation/tranquilization can be considered a mild form of anesthesia and it is not feasible or healthy to subject an animal to prolonged or repeated sedations.

- xl. Types of firework related injuries seen and the percentage of those which can be deemed to be willful**
- c. The President, TTVA indicated that the most common complaints received are those of distress, fear and anxiety. The physical injuries manifest in injuries caused by collisions with vehicles, cuts and scrapes caused from jumping fences, and jumping through glass windows. Many of the animals were severely injured and some died from the injuries.
 - d. He also indicated that the Association saw photographic evidence of animals strapped with firecrackers to their heads or legs. He further revealed that the TTVA received a number of reports of malicious injury and cruelty to animals.
- xli. Recommendations to Pet Owners to minimize injuries**
- c. The President, TTVA stated that sedation is always a last resort since pets need to be healthy before they can undergo sedation. He revealed that there have been companies that tried all natural tranquilizers but the TTVA found that these were not effective in the midst of loud explosions.
 - d. He stated that the best means of keeping animals calm is for pet owners to stay at home with them.
 - e. He further indicated that dogs have advanced auditory and olfactory senses and are therefore more severely affected by the noises produced by fireworks.
- xlii. Measures practiced by other countries such as the U.S in minimizing injuries**
- The President, TTVA stated that companies have made safety jackets/blankets which simulate the feeling of being held or comforted. But generally, pet owners abroad tend to stay at home with their pets.
- xliii. Exposing an animal to loud noises as a form of severe abuse**
- The President, TTVA indicated that this could be considered a major abuse.
- xliv. Compilation of data regarding reported fireworks related injuries and cases**
- The President, TTVA disclosed that the Association only commenced compiling data in late 2016. He indicated that there are approximately three hundred (300) registered Veterinarians in Trinidad and just over forty (40) practicing clinics so that the data gathering process would be a challenge. He however, assured the Committee that the exercise was in progress.
- xl. Decibel levels that can affect animals**
- The President, TTVA stated that a lot of research has been done on the levels that can irritate an animal.

xlvi. Effect of 'soundless' fireworks on animals

The President, TTVA indicated that the main effect of fireworks is the sound and light generated, so that 'soundless' fireworks will minimize the impact of regular fireworks.

xlvii. Distinction between official fireworks spontaneous discharges in communities

- a. The President, TTVA stated that in his opinion, the fireworks discharged in neighborhoods affect animals more since neighborhoods tend to be more enclosed and have a higher population of pets. The majority of fireworks related injuries to pets therefore emanate from neighborhoods.
- b. It was also stated that fireworks discharged in open spaces such as the Queen's Park Savannah were not as injurious as those set off in neighborhoods. The President, TTVA indicated that the suggestion to increase the sixty (60) feet distance requirement from homes to set off fireworks would make no difference since the trauma caused would be the same. He suggested that fireworks not be allowed to be discharged in neighborhoods.
- c. The General Manager, Legal, Compliance and Enforcement stated that an increase in the distance may alleviate some of the damage but concurred with the President, TTVA that fireworks not be allowed to be discharged in residential areas. She however, suggested that fines be reconsidered.
- d. The Chairman, AWN also echoed the perspectives expressed by the representatives of the TTVA and the EMA and also suggested an increase in fines.

xlviii. Future role of the EMA in the regulation of noise pollution caused by fireworks

- a. The General Manager, Legal, Compliance and Enforcement stated that there is a process to treat with noise pollution through the Noise Pollution Control Rules. The EMA utilizes variations which are deviations from the ordinary sound pressure level in three (3) areas:
 - General;
 - Environmentally sensitive; and
 - Industrial.
- b. The EMA is also considering amendments to the Noise Pollution Control Rules to treat with various sources of sound and has been taking any comments received into consideration. It was also indicated that the EMA undertook a study into the enforcement process as it relates to the use and regulation of fireworks.
- c. The General Manager, Legal, Compliance and Enforcement indicated that the legislative framework is there to regulate fireworks, namely the Summary

Offences Act, the Explosives Act and the Police Service Act, however there is need for enforcement. She further indicated that the EMA can assist with the provision of research as it concerns the decibel level and amending the Noise Pollution Control Rules to include fireworks since the term 'fireworks' is not contained within the Rules.

- d. She further indicated that the EMA's Noise Pollution Rules is subsidiary legislation and therefore does not have the strength of the other primary pieces of legislation.
- e. It was disclosed that the EMA has a Strategy and Research Unit and the General Manager, Legal, Compliance and Enforcement stated that she would suggest to her board and Managing Director that there is need for research to be undertaken.
- f. In response to a question posed regarding whether the EMA's Environmental Police Unit should be responsible for the enforcement of section 79 of the Summary Offences Act, the General Manager, Legal, Compliance and Enforcement indicated that the EMA's Police Unit is small. She revealed that the EMA requested a larger number of Officers but due to budgetary constraints, they were unable to expand the Unit.

xlix. Whether the EMA can advise the Minister, MoNS to decree certain areas towns

The General Manager, Legal, Compliance and Enforcement indicated that such advice can be provided and stated that there is also a role for the Ministry of Planning and Development as it concerns the issue of zoning and declaration of the areas as towns.

l. Department of the TTPS dedicated to the cruelty of animals

- d. The President, TTVA indicated that the laws for the protection of animals in other jurisdictions such as the U.K. and the US are closely aligned to the laws for the protection of humans and the penalties are very severe. There are therefore fewer cases of animal cruelty in the US. There is also an entire sub-Division of the police force dedicated to enforcement of the laws.
- e. He also revealed that a number of police officers have assisted him and other Veterinarians in cases of animal cruelty. He further stated that he thought the time was right for the creation of a dedicated unit within the TTPS to enforce existing laws to protect animals.
- f. The President, TTVA indicated that the main problem is the indiscriminate use of fireworks. He stated that a review of the legislation in the US and U.K. showed that permits are needed for the purchase and use of fireworks. There are also designated times and locations for the discharge of fireworks.

- li. Comments by AWN with reference to the regulation of the use of fireworks**
- b. A representative of the AWN stated that the Network along with other NGOs deal with animals that are either unwanted or not adequately cared for by owners.
 - c. She echoed the President's, TTVA observations that there has been a spike in animal ownership in Trinidad and Tobago and indicated that the Network has seen a number of cases of animals that live in a state of neglect. The AWN shoulders the cost of caring for unwanted animals that end up lost and are never reclaimed.
 - d. The AWN considered the recommendations from the U.K.'s Royal Society for the Prevention of Cruelty to Animals (RSPCA) which include limiting the use of fireworks to specific holiday periods, a reduction of decibel levels for fireworks, proper notification to communities, and a strict time limit during which fireworks can be discharged.
 - e. The UK also has legislation which makes provision for a decibel level of one hundred and twenty (120), which is equivalent to the takeoff of a jet aircraft.
- lii. Public awareness of the process of lodging a complaint with the EMA**
- c. The General Manager, Legal, Compliance and Enforcement indicated that the EMA has a hotline for the lodging of complaints and an Emergency Response and Investigations (ERI) Unit, which was established three (3) years ago.
 - d. It was disclosed that there were five (5) recorded complaints pertaining to fireworks since the establishment of the ERI Unit.
 - e. The General Manager, Legal, Compliance and Enforcement stated that members of the public can call the hotline of which the number can be found on the EMA's website. Once complaints are received and the EMA can attend to the issue immediately, Officers of the EMA's Environmental Police Unit (EPI) Unit are sent to investigate.
 - f. If an event is in breach of the Noise Rules, or even in breach of the Summary Offences Act, Officers of the EPI Unit can stop an event since the EPI Unit is staffed by Special Reserve Officers (SRPs), who are vested with the commensurate powers.
 - g. With reference to the impact of noise and fireworks, it was disclosed that the EMA is only alerted of events that plan to utilize fireworks, through the variation process, and so would not know in advance whether fireworks are to be used.
 - h. It was clarified that a formal complaint is one in which the name, address and location of the person making the complaint has been submitted.

liii. Whether chemicals emitted by fireworks are injurious to human health

- a. The Manager, Technical Services, EMA indicated that some of the chemicals are toxic and are potential carcinogens which, when released through the discharge of fireworks, has the potential to contaminate surface waters and air quality.
- b. It was further indicated that the EMA has never tested the impact of the discharge of fireworks on air quality, however the EMA has the equipment required to conduct the test. The General Manager, Legal, Compliance and Enforcement indicated that she would suggest to the Board, the incorporation of these ideas into the EMA's work plan.
- c. It was suggested that local research could be conducted to complement data found in the public domain on the issue. As it concerns long-term negative effects on human health, the Manager, Technical Services, EMA indicated that there can be negative acute and/or chronic effects.

liv. Whether any of the agencies (EMA, MALF, AWN and TTVA) interact with one another

- b. The General Manager, Legal, Compliance and Enforcement indicated that the meeting was the first time she had encountered the agencies. She further indicated that she would seek to collaborate with the other agencies to educate the population.
- c. The Chairman, AWN stated that she would be happy to collaborate with the other agencies.

Recommendations proffered during the public hearing:

7.5 The following recommendations emanated during the discussions:

- a. that greater roles be undertaken by the MALF and the EMA with reference to regulating the use of fireworks;
- b. that studies be conducted on the pollutants associated with the use of fireworks as it relates to noise and air pollution;
- c. that a greater role be undertaken by the MALF with reference to the health and protection of animals, particularly as it concerns the enforcement of Sections 78 and 79 of the Summary Offences Act;
- d. that a unit be assigned within the TTPS to deal with animal cruelty;
- e. that the current legislative framework governing the regulation of the use of fireworks be enforced;

- f. that fireworks be restricted to particular times and locations in order to give pet owners ample time to secure animals;
- g. that the EMA's Policing Unit be expanded to handle matters related to noise and air pollution caused by the use of fireworks;
- h. that amendments be made to the Environmental Management Act and the Noise Pollution Control Rules to accommodate the use of fireworks;
- i. that chemical tests be conducted on fireworks;
- j. that the EMA conduct testing of air quality during the discharge and burning of fireworks;
- k. that there be collaboration between the EMA, MALF, AWN, TTVA and other agencies to address issues associated with the use of fireworks;
- l. that penalties and fines associated with animal cruelty and illegal use of fireworks should be increased;
- m. that the sixty (60) feet demarcation for the discharge of fireworks away from residential premises be increased to 120 feet;
- n. that State Agencies and animal organisations engage in educating and creating public awareness on the harmful and adverse effects of fireworks on the animal population; and
- o. that the use of soundless fireworks during celebrations be considered.

Requested information

8.1 Further to the discussions the Committee requested the following information:

- e. the official position of the MALF regarding its interpretation of Sections 78 and 79 Summary Offences Act; and
- f. the number of noise variations applications received by the EMA over a five (5) year period.

ADJOURNMENT

9.1 The meeting was adjourned at 12:24 p.m.

I certify that these Minutes are true and correct.

Chairman

Secretary

May 12, 2017

Appendix IV

MINUTES OF THE NINETEENTH MEETING OF THE JOINT SELECT COMMITTEE OF PARLIAMENT APPOINTED TO INQUIRE INTO AND REPORT ON SOCIAL SERVICES AND PUBLIC ADMINISTRATION, HELD IN THE A.N.R. ROBINSON MEETING ROOM (WEST), LEVEL 9, AND THE J. HAMILTON MAURICE ROOM, MEZANINE FLOOR, OFFICE OF THE PARLIAMENT, TOWER D, #1A WRIGHTSON ROAD, PORT OF SPAIN, ON

PRESENT

Members

Dr. Dhanayshar Mahabir	Chairman
Mr. Esmond Forde, MP	Vice-Chairman
Brig. Gen. Ancil Antoine, MP	Member
Mrs. Christine Newallo-Hosein, MP	Member
Ms. Khadijah Ameen	Member

Secretariat

Mr. Julien Ogilvie	Secretary
Ms. Vahini Jainarine	Legal Officer
Ms. Ashaki Alexis	Research Assistant

ABSENT

Mrs. Glenda Jennings-Smith, MP	Member
Mr. Rohan Sinanan	Member
Ms. Allyson West	Member

CALL TO ORDER AND ANNOUNCEMENTS

1.6 The Chairman called the meeting to order at 9:34 a.m. and welcomed those present.

1.7 Members were advised that Mrs. Glenda Jennings-Smith, MP, Mr. Rohan Sinanan and Ms. Allyson West asked to be excused from the day's proceedings.

CONFIRMATION OF MINUTES OF THE EIGHTEENTH MEETING HELD ON NOVEMBER 15, 2017

2.1 The Chairman invited Members to examine page-by-page, the Minutes of the Meeting held on November 15, 2017.

2.2 The Minutes were confirmed without amendments on a motion moved by Brig. Gen. (Ret.) Ancil Antoine, MP and seconded by Mrs. Christine Newallo-Hosein, MP.

MATTERS ARISING FROM THE MINUTES

3.2 With reference to:

The inquiry into mental health and wellness services and facilities in Trinidad and Tobago:

- a. Item 7.6(xvii)(c), the Secretariat was instructed to request clarification from the MoE and NPTA on the legal right of a parent to refuse the treatment of his/her child subsequent to psychiatric evaluation.

Procedure for the reintegration of students given medical leave

- b. Item 4.2, the Chairman referred to the public hearing on November 15, 2017 and a written submission by the MoE dated November 17, 2017 which spoke to the Ministry's equal opportunity policy with respect to children who have been experiencing mental illness. The Chairman indicated he received conflicting reports. He cited correspondence dated December 04, 2017 that he received from the parent of a Secondary school student, which highlighted an ongoing matter concerning the inclusion of her child in the education system.
- c. Members were reminded that the MoE was requested to provide the procedure for the reintegration of students who have been given *bona fide* medical leave, in particular medical leave related to mental illness/disorder. The Secretariat was instructed to send a reminder to the MoE with regard to the Committee's request.

PRE-HEARING DISCUSSIONS

5.1 The Chairman informed Members that representatives of the following entities are expected to participate in the day's hearing:

- i. Ministry of National Security;
- ii. Trinidad and Tobago Police Service;
- iii. Environmental Management Authority;
- iv. FireOne Fireworks FX Limited.

5.2 The Chairman informed Members that an *Issues Paper* was prepared by the Secretariat based on the submissions received. The *Issues Paper* was circulated to Members during the meeting.

5.3 Members discussed and agreed on the approach to questioning to be adopted during the hearing.

OTHER BUSINESS

Proposed Date and Agenda for Next Meeting

6.1 The Committee agreed that its next meeting will be held on January 17, 2018. At this meeting the Committee will conduct a public hearing with stakeholders on the follow-up to the Committee's First Report on the *current level of violence among students in schools with particular focus on physical and cyber bullying*.

6.2 Members were asked to review the Ministerial Response of the Ministry to the Committee's First Report in preparation for this public hearing.

SUSPENSION

6.3 The Chairman suspended the meeting at 10:15 a.m.

Fireworks

3rd Public Hearing re: the adverse health effects of fireworks

7.1 The meeting resumed in public at 10:21 a.m. in the J. Hamilton Maurice Room, Mezzanine Floor.

7.2 The following persons joined the meeting:

Ministry of National Security

Mr. Kenny Gopaul Deputy Chief Fire Officer

Mr. Blaine Wilson Fire Sub. Officer

Ms. Adelle Rahamut Senior Legal Officer

Trinidad and Tobago Police Service (TTPS)

Mr. Deodat Dulalchan Dep. Com. of Police (Operations) Ag.

Mr. Kazim Ali Police Inspector Ag./Legal Officer

Environmental Management Authority (EMA)

Mr. Hayden Romano Managing Director

Mr. Wayne Rajkumar Manager Technical Services

Ms. Jenelle Partap Manager Legal Services

FireOne Fireworks FX Limited

Mr. Andre Abraham

Managing Director

- 7.3 The Chairman welcomed the officials and introductions were exchanged.
- 7.4 The Chairman informed those concerned of the objectives of the inquiry.
- 7.5 Detailed below are the issues/concerns raised and the responses which were proffered during the hearing:

i. The public comment period for the draft National Environmental Policy

- b. Managing Director, EMA advised that December 15, 2017 was the deadline date for the public comment period on the draft National Environmental Policy. Members of the public were urged to comment on the draft policy, in particular, comments related to the noise pollution directly linked to the use of fireworks;

ii. The role of the EMA in the regulation of the use of fireworks

- a. It was indicated that noise created by fireworks is “instantaneous noise” and is provided for in the Noise Pollution Control Rules (NPCR). Therefore, with respect to the use of fireworks, the EMA plays a supporting role to the agencies who are primarily responsible;
- b. The EMA only becomes involved in regulating the use of fireworks in cases where event promoters must apply for a Noise Variation license in accordance with the NPCR. In such cases the EMA:
- specifies the time that the fireworks are to be used; and
 - requires that the promoter inform all stakeholders, including community residents, that fireworks would be let off. Such notification may require press advertisements;

iii. The initiatives undertaken by stakeholders subsequent to the Committee’s prior hearings

- a. The Deputy Chief Fire Officer advised that the Ministry of National Security has voiced preliminary concerns with FireOne Fireworks FX Limited. The PS, MNS has mandated that a committee within the Ministry will be established to formulate and implement legislation regarding the regulation of the use and storage of fireworks;
- b. The EMA is conducting research into the importation and regulation of fireworks in other jurisdictions with a view to presenting recommendations on the way forward in Trinidad and Tobago. The EMA proposes to complete its recommendations by mid-January 2018 for the comment of all stakeholder agencies, prior to public presentation;

- c. The EMA indicated that it is engaged in ongoing consultations with relevant stakeholders with regard to noise pollution. A commitment was given to test the decibel levels of the communities identified as having high levels of fireworks activity during the Christmas and New Year celebrations. The TTPS gave the EMA a commitment to assist with the necessary resources. Testing the air quality in these areas poses a challenge owing to the lack of the necessary mobile equipment;
 - d. DCP Dulalchan advised that on considering the advice of the Committee, the TTPS implemented the following “public awareness” strategies to combat the illicit use of fireworks:
 - i. Divisional Commanders were instructed 2-3 days in advance of the Independence Day and Divali celebrations to ensure that police patrol activity and visibility was heightened whereby police presence would serve as a deterrent. It was advised that the same strategy would be utilised over the Christmas/New Year period;
 - ii. Divisional Commanders were directed to engage the general public via the *Beyond the Tape* television programme;
 - iii. A press briefing was broadcast and a press release was circulated on the eve of Divali, regarding the use of fireworks during the period; and
 - iv. Community Police Officers were dispatched to engage students on the law regarding fireworks and the harmful effects of fireworks;
 - e. DCP Dulalchan later indicated that better collaboration on preventative measures in this regard will be had with Municipal Police when these units are better staffed;
 - f. The TTPS intends to undertake its usual inspections during the Christmas/New Year period to ensure that all retailers and wholesalers adhere to the provisions of the Explosives Act;
- iv. *Failure by residents to file reports of fireworks abuse upon making complainants***
- a. DCP Dulalchan indicated that complainants prefer to remain anonymous as the offenders are usually relatives and neighbours. Hence, on many occasions where police officers respond to complaints made regarding the inappropriate use of fireworks, complainants decline to share further information or file reports;
- v. *Licensing, importation and storage requirements for retail fireworks***
- a. Mr. Abraham advised that every location that sells fireworks products must obtain a Retail Explosive Licence that is granted by a magistrate. The magistrate relies on the advice of the Police and Fire Service before granting the license;

- b. It was noted that common opinion dictates that fireworks are explosive. However, Mr. Abraham indicated that consumer fireworks burn rather than explode. In the instance of a fire, the Company's outdoor locations, which are usually stationed away from any other building, would be destroyed in a controlled fire without affecting other buildings. Hence, these locations pose less of a threat to the public than potential indoor locations;
- c. FireOne Fireworks FX Limited has mostly adopted the codes and standards regarding the storage and sale of fireworks from the USA's National Fire Protection Association (NFPA), and the UK's Fire Protection Association (FPA):
 - i. The expiry dates on fireworks are not usually noted or printed. However, the Company monitors consumption habits and forecasts purchasing based on trends. Stocks are rotated approximately every two (2) years;
 - ii. FireOne Fireworks maintains a strict policy of restricting sale to persons under the age of eighteen (18) years. Mr. Abraham indicated that all customers are required to present identification and sign release forms which are recorded;
 - iii. All retail customers are party to video presentations with accompanying leaflets on how to use the fireworks products when making a purchase. Each product is labelled with usage instructions. In addition, regular promotions on fireworks safety are printed in the press;
 - iv. FireOne maintains that, in accordance with the NFPA guidelines, it utilises the American Fireworks Standards Laboratory (AFSL) to inspect all fireworks products produced in China. Therefore, the products imported into Trinidad and Tobago meet the international standards set out by the NFPA;
 - v. Outdoor retail outlets are located as far as possible from other buildings. The Company is not aware of any international guidelines which require retail outlets to be a specific distance away from buildings; and
 - vi. Class B products, which are used in large-scale shows, require special storage and are stored at the Company's bunker on Mt. St. Catherine Road, Chaguaramas.
- d. Mr. Abraham agreed that amendments should be made to Trinidad and Tobago law to mirror that of other countries, such as the UK, which have designated fixed times and dates for the disbursement and display of fireworks. He recommended that:
 - i. a limited number of hours may be designated for fireworks use on usual days of celebrations and; and
 - ii. the fines for the illegal use of fireworks or purchase of illegal products should be made stricter;
- e. The law provides that retail outlets will be subject to a fine if they are found to be in possession of fireworks products in excess of 30 pounds. Mr. Abraham

advised that fireworks products usually weigh in range of milligrams and seldom exceeds the legal limit;

- f. The Fire Service is obligated under the Fire Service Act, Chap. 35:50, and Part V of the OSH Act, Chap. 88:08 to inspect all industrial premises, with regard to the storage of explosives, including fireworks. Industrial premises are inspected regularly;
- g. It was noted that the Explosives Act predates the existence of the Fire Service and the Act does not stipulate a role for the Fire Service. Inspections are conducted by the Fire Service in collaboration with the TTPS. Hence, the power of the Fire Service to engage with agencies is limited to moral suasion while assisting with regulating the importation, transportation and storage;

vi. *The popularity of Noiseless Fireworks*

- a. Mr. Abraham indicated that FireOne Fireworks regularly retails noiseless fireworks products. The percentage of noiseless to noise creating fireworks could not be provided. It was indicated that noiseless fireworks are not as popular as the noise creating fireworks which displays colours when discharged;
- b. It was noted that illegal firecrackers (i.e. “scratch bombs”) are popular noise creating products which are associated with the Company. It was indicated that this product is very dangerous as it has not been tested internationally and is illegally imported. The Company does not import or sell illegal firecrackers;

vii. *The procedure for the issuance of licenses to import*

- a. An application for a license is forwarded to the Minister of National Security and copied to the Commissioner of Police and Chief Fire Officer. The TTPS and Fire Service will then conduct investigations into the applicants and the products to be imported. The Minister is then advised in accordance with the results of each investigation. The EMA is not involved in the process;
- b. DCP Dulalchan agreed that the technical input of the EMA may be beneficial to the investigations into applicants. Only one (1) license has been issued for 2017;
- c. The license to import provides a limit on the amount of fireworks that can be imported;

viii. *Options for contacting authorities regarding fireworks complaints*

- a. The TTPS has not considered the implementation of a hotline specifically for reports on fireworks use due to obvious logistical concerns and maintains that the 999 hotline remains viable;

- b. Persons may contact the EMA with complaints via telephone call to 680-9588 or email to complaints@ema.co.tt. The hotline is available around the clock. Approximately over 80 per cent of complaints received on the hotline are in relation to noise;
 - c. When noise pollution complaints are received the EMA will then contact the nearest police station and convey the information provided;
- ix. *The number of applicants for seasonal retail licences***
- a. The TTPS is routinely aware of all the retail licenses applied for through the Courts with regard to the sale of fireworks during particular seasons. The premises of these persons are inspected by both the TTPS and the Fire Service prior to the issuance of a license;
- x. *Seizure of illegal firecrackers***
- a. DCP Dulalchan indicated that once intelligence is received the police take the required action to seize illegal firecrackers. Information on how the seized firecrackers are disposed of could not be provided;
- xi. *Revision of the Noise Pollution Control Rules***
- a. At the public hearing on April 19, 2017, the EMA indicated that it was considering amendments to the *Noise Pollution Control Rules* to treat with various sources of sound, including sound from fireworks. It was indicated that the EMA is at the stage of internal deliberations, subsequent to which the amended Rules will be circulated for public consultation.

Recommendations proffered during the Public Hearing

7.6 The following recommendations emanated from the discussions:

- i. The TTPS execute its mandate as provided for by Section 40 of the Explosives Act Chapter 16:02. Furthermore, the TTPS be equipped with weighing scales and measuring tapes to ensure that retailers do not exceed the stipulated thirty (30) pounds of “explosives” that can be stored on the premises and that residents discharge fireworks 60 feet from the centre of the street;
- ii. Amendments be made to the existing law to reflect the provisions of Section 7 of the Fireworks Regulations 2004 (United Kingdom) which prescribes a designated time and date for the disbursement of fireworks;
- iii. Greater collaboration between all relevant state agencies in addressing issues associated with the use of fireworks;

- iv. That consideration be given to including the technical expertise of the EMA in the approval process for the granting of an explosive license;
- v. That strategies or initiatives be implemented to encourage citizens to report the nuisance discharge of fireworks within communities, for example, hotlines and collaborating with community watch groups;
- vi. That unused fireworks be returned to the relevant retail or wholesale outlet following major festivities such as Divali, Christmas and New Year's Eve;
- vii. That the EMA utilizes Facebook and other social media platforms to promote the EMA's hotline and email address as options for reporting the nuisance use of fireworks;
- viii. The regulation of the various fireworks products that can be purchased by a consumer;
- ix. The Explosives Act, Chap. 16:02 should be modified to accommodate regulations on the diverse range of fireworks and other related explosives. Regulations should require manufacturers to place the weight and contents of the explosive powder within fireworks and the expected decibel level of each upon explosion;
- x. The development and implementation of the Fireworks Regulations;
- xi. That the EMA undertake the testing of decibel levels and air quality immediately following the discharge of fireworks during major festivities;
- xii. That the use of soundless fireworks during celebrations be considered; and
- xiii. The Canine Unit of the TTPS should be utilized to assist in gathering evidence related to the unlawful discharge of fireworks.

Requested information

7.7 The Committee requested the following information in writing:

- i. that FireOne Fireworks submit a list of recommended regulations to govern fireworks use in Trinidad and Tobago;
- ii. that the EMA submit a report of the noise complaints related to fireworks which were received and submitted to the TTPS. The report should be classified by police division.

ADJOURNMENT

8.1 Closing remarks were made by the Dep. Chief Fire Officer, Senior Legal Officer – Ministry of National Security, Managing Director – EMA and Managing Director FireOne Fireworks FX Limited.

8.2 The Chairman thanked Members and gave closing statements.

8.3 The meeting was adjourned at 12:08 p.m.

I certify that these Minutes are true and correct.

Chairman

Secretary

January 24, 2018

Appendix V

EXCERPT OF VERBATIM NOTES OF THE TWELFTH MEETING OF THE JOINT SELECT COMMITTEE ON SOCIAL SERVICES AND PUBLIC ADMINISTRATION, HELD IN THE ARNOLD THOMASOS ROOM (WEST), LEVEL 6, (IN CAMERA) AND J. HAMILTON MAURICE ROOM (MEZZANINE FLOOR) (IN PUBLIC), OFFICE OF THE PARLIAMENT, TOWER D, THE PORT OF SPAIN INTERNATIONAL WATERFRONT CENTRE, #1A WRIGHTSON ROAD, PORT OF SPAIN, ON WEDNESDAY, MARCH 15, 2017 AT 9.38 A.M.

PRESENT

Dr. Dhanayshar Mahabir	Chairman
Mr. Esmond Forde	Vice-Chairman
Mr. Rohan Sinanan	Member
Brig. Gen. Ancil Antoine	Member
Miss Khadijah Ameen	Member
Mrs. Christine Newallo-Hosein	Member
Mr. Julien Ogilvie	Secretary
Miss Kimberly Mitchell	Assistant Secretary

ABSENT

Mrs. Glenda Jennings-Smith	Member
Miss Ayana Lewis	Member [<i>Excused</i>]

10.30 a.m.: *Meeting resumed.*

Officials of the Ministry of Health

Mr. Richard Madray	Permanent Secretary
Dr. Roshan Parasram	Chief Medical Officer
Dr. Robin Sinanan	Head, Accident and Emergency, SWRHA
Dr. Neal Hinds	Head, Accident and Emergency, NWRHA

Officials of the Ministry of National Security

Ms. Lydia Jacob	Permanent Secretary
Ms. Michelle Pierre Chase	Deputy Permanent Secretary Ag.

Mr. Kenny Gopaul	Chief Fire Officer Ag.
Mr. Cecil Davis	Assistant Chief Fire Officer
Mr. Narace Rampersad	Assistant Divisional Officer
Ms. Adelle Rahamut	Senior Legal Officer

Officials of the Trinidad and Tobago Police Service

Mr. Deodat Dulalchan	Deputy Commissioner of Police Operations (Ag.)
Mr. Kazim Ali	Legal Officer

Mr. Chairman: Good morning and welcome to this, the 12th meeting of the Joint Select Committee on Social Services and Public Administration. This is the Committee's first public hearing, pursuant to its enquiry into the adverse health effects of the fireworks in Trinidad and Tobago.

This meeting is being broadcast live on Parliament Channel 11, Parliament Radio 105.5 FM and Parliament's YouTube channel, *ParlView*. We invite members of the viewing audience who have suggestions to make with respect to solving the problem at hand, to please send us your suggestions via the social media networks available to you.

At this point, I would like to welcome the officials who are with us this morning to address this important social issue, the Ministry of Health, we have officials from the Ministry of Health. I want to welcome representatives from the Ministry of National Security and the Trinidad and Tobago Police Service. At this point I would like to invite members who are representing the various line Ministries to introduce themselves, then I would ask members of the Committee to briefly introduce themselves as well. So may I start on my right; representative of the police service.

[Introductions made by the Trinidad and Tobago Police Service and the Ministry of National Security]

Mr. Chairman: Thank you representatives from the police service, the Ministry of Health and the fire services of Trinidad and Tobago. I will ask members to briefly introduce themselves—oh, you have officials from the Ministry of Health, okay, yes, could they introduce themselves?

[Introductions made by the Ministry of Health]

Mr. Chairman: Thank you very much. I presume the introductions have been concluded. Thank you. And may I start with my right. MP, could you briefly introduce yourself?

[Introductions made by members of the Committee]

Mr. Chairman: Let us—I will await the arrival of our member.

[Miss K. Ameen enters Committee room]

Mr. Chairman: Yes, could you introduce yourself member to the Committee, to the witnesses?

Miss Ameen: Good morning, my apologies, Chairman. Khadijah Ameen, Opposition Senator.

Mr. Chairman: Thank you very much. For the benefit of the listening public for our stakeholders, there are really three objectives of this enquiry. First, to understand the possible impact of fireworks on human health and the extent of injuries associated with the improper use of fireworks. Two, to assess the adequacy of law enforcement measures in place to regulate the use of fireworks and explosives by members of the public. Three, to assess the adequacy of the legal framework governing the use of fireworks and explosives by members of the public.

Can I ask the following to make some brief opening remarks? All witnesses appearing before us will be given an opportunity because you are coming to us with a range of expertise and I would imagine genuine interest too, in ensuring that public health and safety is not compromised in any way in the Republic of Trinidad and Tobago. May I ask the representative of the Ministry of Health, Mr. Richard Madray Permanent Secretary, to make some brief opening remarks which will act as the springboard for the deliberations of the Committee. Thank you very much.

Mr. Madray: Mr. Chairman and members, I express my sincere thanks for granting us this opportunity to appear before this Committee enquiring into the adverse health effects of fireworks. For many citizens of this country, as well as, as persons across the world, fireworks provide excitement, colour and fun, hence the widespread attractiveness. There can, however, be associated negative consequences, particularly when these devices are inappropriately used. Based on local cases to date, the adverse health effects include burns to the eyes, skin and hands, hearing loss and amputations.

Based on international research, the European Respiratory Society in 2010 indicated that the burning of fireworks releases some amount of air pollutants, particularly, sulphur dioxide, carbon dioxide, carbon monoxide and particulate matter along with several metal salts. So these pollutants can also have an adverse impact on the health of our citizens. I therefore look forward to this Committee's exploration of this subject with a view to the better management of these devices.

Mr. Chairman: Thank you very much, Mr. Madray. May I ask Ms. Lydia Jacob, Permanent

Secretary, Ministry of National Security, to make some brief opening remarks for the benefit of the Committee.

Ms. Jacob: Good morning Mr. Chairman, members of the Committee and as well as our viewing audience and listening audience. The Ministry of National Security welcomes the opportunity to join this very important national conversation this morning. Our Ministry has the primary responsibility for ensuring and maintaining the security of the territory and peoples of the country. We represent but one of a number of stakeholders engaged in this dialogue this morning.

Our stakeholders will include Ministries, Departments and agencies, as well as business interests and citizens. At present there is a legislative framework, though limited, governing aspects of the importation, use, distribution and sale of explosives, and here we can categorize fireworks. The Ministry National Security will outline our various responsibilities as we continue this dialogue. As we are expounding our various roles, it is anticipated that greater clarity would be afforded to all persons and we can somehow chart a way forward for advancing this subject. Thank you very much.

Mr. Chairman: Thank you very much, Ms. Jacob and may I ask Mr. Deodat Dulalchan, Deputy Commissioner of Police, to offer some brief opening remarks.

Mr. Dulalchan: Mr. Chairman, to you and to other members of this Committee, the TTPS is also pleased to be here, to be involved in this conversation so that we also can identify some of the gaps and maybe make recommendations and collectively we can see what we can do as a country, as an organization to really mitigate in terms of ensuring there is proper control and regulation into the use of fireworks in this country.

Mr. Chairman: Thank you very much, Mr. Dulalchan. And again, exercising the prerogative of the Chair, may I pose the first issue to you as Acting Commissioner of Police and representing the police force. Mr. Dulalchan, you are of course quite aware of the Summary Offences Act of 1921. And in this Act it says:

“99. (1) Except as prescribed by Regulations under this Act, any person who throws, casts, sets fire to, or lets off any fireworks within any town is liable to a fine of one thousand dollars.”

The simple question I want to pose to you in your capacity as Acting Commissioner is, has this law been enforced in any meaningful way within recent times in Trinidad and Tobago? And if so, how many people were charged?

Mr. Dulalchan: Mr. Chairman, checking our database we were able to discover five persons being charged for offences. On the 19th of November, 2016, a gentleman was driving along the Aranguez Main Road, where, in the presence of police—probably he was not aware that police were close by—he actually lit fireworks and throw it out on the roadway, it exploded. He was arrested and charged. He appeared before the court, he pleaded guilty, he was charged \$400.

Mr. Chairman: So Mr. Dulalchan, you are saying five persons in 2016 were charged under this particular existing 1921 Act?

Mr. Dulalchan: Well, actually within the last five years our records show five arrests.

Mr. Chairman: So basically you have an arrest of averaging one per year over the last five years.

Mr. Dulalchan: Yes.

Mr. Chairman: And clearly, given the nuisance which is experienced by the population, do you think that the law then is adequately enforced, that we could enforce this law a little more effectively?

Mr. Dulalchan: I just want to indicate, Chair, that the use of fireworks in Trinidad and Tobago, it occurs on a seasonal basis. More so, surrounding the areas—the time of Divali as well as Christmas. The police officers do respond to several complaints, but the problem here is that we are faced with challenges. Most of the calls are, in fact, made by anonymous persons. And in instances where calls are made, the informants really do not wish to openly support the police in their investigation because it really involves some relatives and neighbours, and there is life after. And I think that is where we have serious, serious constraints.

Mr. Chairman: Let me intervene, Mr. Dulalchan, a solution here. Of course, I understand the problem, you do not want to run afoul of your neighbours, you are going to live with them for the rest of the year. But someone makes a call, is it then the policy of the police to simply drive around to the neighbourhood and so individuals in the afflicted neighbourhood can actually see the police coming around which can act as a potential deterrent, because the objective is not really to put anyone in prison or to charge them the fine, but for them to cease and desist. And does the police have a policy, once they get a call, to simply send a vehicle around to cruise the neighbourhood to make sure that the people who are offending the law can somehow control their behaviour?

Mr. Dulalchan: Definitely. In fact that is really our approach. The police visibility will, in fact, impact upon the nuisance. But I think one also must look at it. The law really allows you to use fireworks any day, any time except of the three areas that is prescribed once the persons who is in

fact using the fireworks use it 60 feet within the premises. And that is where we do in fact have challenges.

Mr. Chairman: We will come back to you, Mr. Dulalchan with respect to—because you already raised a potential recommendation for consideration, that is we can limit the use of fireworks to certain prescribed times and not have it available every single day of the year for use by individuals in the country. But I want to bring in, before I come to the Ministry of Health, I want to bring in the Ministry of National Security here and I want to quote from the Explosives Act, Chap. 16:02, section 35. And I can pass it on to you subsequently if you do not have it. What it says is that:

“35. (1) No person, other than a licensed wholesale dealer, shall import into Trinidad and Tobago any explosive unless he first obtains a licence in that behalf from the Minister who may in his absolute discretion refuse the same or grant the same subject to such terms and conditions as he may think fit; but no such licence shall be required for the importation of safety cartridges.”

And under 35(3) it says:

“Any person who contravenes this section or the conditions of a licence issued hereunder is liable to a fine of two thousand dollars.”

To the Ministry of National Security, has anyone been charged thus far with importing fireworks without a licence from the Minister, or can we take it that all the fireworks imported into the Republic of Trinidad and Tobago are imported under due licence granted by the Minister of National Security?

10.45a.m.

Ms. Jacob: Chair, the Commissioner of Police will have to answer with respect to charging—if anybody was charged. But I do know that through the Minister of National Security we are responsible for liaising with the police and the Chief Fire Officer before any such licence is granted.

Mr. Chairman: And a follow-up question is: could you indicate for the benefit of the Committee how many licences were granted, say for 2016?

Ms. Jacob: Chair, I do not have that information—

Mr. Chairman: May we request that information in writing? Because there are a number of

importers of these devices in Trinidad. They advertise all the time around the time that Mr. Dulalchan indicated. Would the Chief Fire Officer be able to give us any guidance on any licences that were issued in 2016?

Mr. Gopaul: Mr. Chairman, we will not have the exact number but the applications derive from the Ministry and usually we just look at the conditions that should prevail on the transport and storage. But as to the number, to answer your question, no, we do not.

Mr. Chairman: Okay. Under 16:02 again, section 8, it says that—section 6:

“No person shall manufacture or keep any explosives for the purpose of making fireworks on any premises unless there are on the premises—”—certain conditions.

And it continues under section 8:

“The quantity of explosive on such premises shall not exceed—
fifty pounds of any explosive other than manufactured fireworks;”

And it goes on, on another section to talk about 150 pounds of manufactured fireworks in any compound.

Has the fire service ever done any survey of the compounds which are accommodating these explosives to determine whether any importer has exceeded 150 pounds of manufactured fireworks in his premises?

Mr. Gopaul: Mr. Chairman, we have the responsibility for the safety and security of the public in their attendance to public places. We are aware of three main importers of fireworks in Trinidad and they are subjected to the fire certification on a biannual basis. So we do visit them and I can safely say that two of them are in compliance—one is not—since 2011.

Mr. Chairman: Okay. And one is not in compliance, and has that non-compliant entity faced any sanction at all?

Mr. Gopaul: That is a process that is ongoing. It has not reached the court as yet.

Mr. Chairman: For seven years, therefore, you are saying that there is an entity breaking the law, basically, in violation of your department’s regulations and the process is now taking about seven years to be brought to prosecution. So there is a problem there with prosecuting.

Mr. Gopaul: I will agree.

Mr. Chairman: And have there been any cautions, any threats by the fire service that “you are in clear violation; you are endangering the public life and limb but we can really shut you down”?

Mr. Gopaul: It is not a threat. It is an ongoing process. We are working with the OSH agency and

the Ministry to have these people become compliant.

Mr. Chairman: Okay, very well. We did ask MP Ancil Antoine to come in first and then afterwards MP Sinanan.

Brig. Gen. Antoine: Pleasant good morning. In the response from the Ministry of National Security, fire service, the police service, you keep speaking about fireworks at approved events, also, when observing a fireworks display. And under the Explosives Act, fireworks and explosives are used to commemorate events, festivals such as Divali, Christmas, New Year's, Independence Day. Under the Summary Offences Act it says—and this is in contradiction to what the police was just saying about disturbances of fireworks have to be reported. It says here:

If someone wants to set off fireworks in one of the banned areas—and the banned areas are outside the City of Port of Spain, et cetera—permission must be obtained at least 48 hours prior from the Commissioner of Police or a superintendent with authority which will be in writing prescribing the time and place.

I get the impression that the Ministry of National Security and its organizations, the police and the fire, are not making a distinction between fireworks display at festivals—Independence Day, Divali, et cetera—and fireworks being set off by citizens in their communities. And according to the law you need to have permission from the Commissioner of Police before any fireworks are set off. So therefore, if a citizen sets off a firework in a community, the police have the right to go and arrest that person in accordance with the law, without a complaint from the neighbours. So is there a distinction between fireworks for display and citizens setting off fireworks in their communities? Is the police, the fire service and the Ministry of National Security making a distinction in respect of this?

Mr. Chairman: A brief response from the stakeholders. First with the police.

Mr. Dulalchan: Sir, there is, in fact, a distinction and I will ask Mr. Ali, our head legal, to respond.

Mr. Chairman: Very well, yes.

Mr. Ali: Good morning, Mr. Chairman and other members. Under the Summary Offences Act, Chap. 11:02, in particular sections 99 and 100 deal specifically with enforcement of fireworks in Trinidad and Tobago. Section 99 speaks to fireworks in any town in Trinidad and Tobago, and the definition of “town” would be Port of Spain, San Fernando and the Borough of Arima. There is another section cashed into that, that the Minister appointed to the town would be captured under that section.

So that persons who discharge fireworks in a town, they are required to obtain written permission from the Commissioner of Police to discharge that firework. But that is not the be-all and end-all of it. What happens, in order to prosecute persons, you have to catch these persons. You have to catch them red-handed into the act, as police officers. Outside of that, a person making a complaint, or a person who is present and witnesses the discharge, the setting-off of fireworks, they must cooperate with the police, give a statement to the police and be prepared to attend court in order to successfully prosecute these alleged offenders. In the absence of that, we are like—how should I say—toothless bulldogs.

Mr. Chairman: Again, I want to reemphasize the first point I raised with Acting Commissioner Dulalchan, and that is, while prosecution is one of the elements of the exercise, the primary reason, I think, for having these laws is for people to cease and desist and not continue to cause injury and harm to the population. And therefore, is it that the police, once they get a complaint, knowing that prosecution might be difficult, will simply display a visible presence in the affected neighbourhood so that perpetrators will think twice about—because of the possibility of discharging in the police presence—a court case be imminent, that police presence itself, during the particular periods can cause individuals to cease sending off these fireworks in the environment?

Mr. Ali: Certainly police presence will always be a deterrent to all crimes.

Mr. Chairman: Right. And I am talking particularly of this particular one. Not all. This is the one where we are saying: can we then say that maybe a greater and a more visible police presence when reports are being made, that there is some alacrity with respect to moving from the station into the neighbourhood, may take 10 minutes or so, and then in that way individuals who are intent on sending off these devices may be deterred from that action? That seems to be a solution which can prevent some, and mitigate some of the adverse consequences.

But I would like to get the Ministry of National Security to come in with respect to the query raised by Brig. Ancil Antoine, on whether the Ministry of National Security is making a distinction between the fireworks on display as on Independence Day or the fireworks by someone on Old Year's Night sending it off because he is in competition with his neighbours. Do you make a distinction? Or is it fireworks are fireworks?

And while the Ministry of National Security is thinking—and we have not brought in the Ministry of Health yet. Ministry of Health, we are getting out these legal preliminaries before we come to the health issues, because health is of concern to us as well, not only nuisance, but adverse

health consequences. So the fire services and national security, do you see fireworks as fireworks? Or do you make a distinction that the only offending fireworks are those that are within towns and those that are in official displays, and that the fireworks in the rest of the country seem not to be of major concern to you, based upon existing regulations and laws?

Ms. Jacob: Chair, I would have legal—

Mr. Chairman: A brief response from the legal.

Mr. Ali: Yes, I would answer that also. Generally, fireworks, there are no distinctions in the setting-off of fireworks.

Mr. Chairman: Thank you very much. That is a short answer. May I ask Sen. Sinanan to come in?

Mr. Sinanan: I just have some points for clarification. You indicated there were three areas that you are not allowed to set off fireworks, but you also indicated that even on a private premise, outside of those three areas there is a 60 feet. Now, we know for a fact in Trinidad there are certain areas, certain residential developments that the norm, as you said, at the festive times, fireworks take precedence, in some cases, I think, over food and beverages, because when you see the amount of fireworks being purchased, you really wonder what is going on.

Most of these residential developments, it is like a lot of land, which is 50 by 100. What it means is that nobody in these residential areas should be allowed to send fireworks out. Because if it is 60 feet, there is nowhere in a 50 by 100 lot, you would be able to find a 60 point. So if the police knows that, look, there are certain areas that we do not expect—because if it is 50 by 100, the centre will be 25, and if it is 100—you understand the point that I am trying to get at? So in this entire residential area where there are houses on a lot of land, there should be no fireworks. And if the police know that at the festive time the neighbours go in competition with the rest, then the police should have a presence there. Because could you imagine you are living four feet from your neighbour and he is sending off fireworks there? So the point I am trying to get at is that: should the police not be more proactive in these areas?

The other point that I want some clarification on, you said it is a 150-pound limit to be stored in any licensed area. You look at the festive times again, you see tents on the side of the road, car parks, malls all over; you even look at some retail outlets and just by looking at one shelf you realize it is way more than 150pounds. Is it that we just have the law there and the retailers, or whoever it is, knows that nobody is going to come and verify the amount of gunpowder that they

have on the premises? Because that is a serious risk to—

Mr. Chairman: I just want to just point the question that my colleague is raising. Has the fire services—I would imagine that is your responsibility—ever done a weighing exercise on any fireworks to say—you have the scales—that you are exceeding the 50-pound limit or the 100—have you ever done that to any tent, any building, any housing facility, any magazine in the country?

Mr. Davis: Mr. Chairman, Cecil Davis, Assistant Chief Fire Officer. Commercial fireworks, each one of these commercial fireworks carries sometimes less than .8 grams. The larger commercial fireworks will carry two grams. So taking up commercial fireworks, which might weigh eight pounds, does not mean to say it carries that amount of explosive mixture.

Mr. Chairman: Thank you very much. Because what you have raised is that the Act, as written in 1951, may have referred to weight when, in fact, we need to look at some other mechanism, not necessarily the weight of the fireworks. So we could look at some other way to regulate. You are saying weight may be irrelevant because 150 pounds of what we have now could really be a large amount.

Mr. Sinanan: One more question. You said there was one importer who, since 2011, was in breach. Could you indicate whether that importer was granted import licence since then? And does the fire department have any input before a licence is granted?

Mr. Gopaul: The first part of the answer, member, is that, yes, they have been granted further licence. The reason being, the licences are for new imports which are stored at a different magazine, not at where the premises are, where they offer retail. The problem we have with that importer is the amount that is kept, definitely over 150 pounds, and the conditions under which it is stored.

Mr. Forde: Mr. Chairman, very interesting. Good morning again. It made the news. Remember the gentleman on Charlotte Street—was it Charlotte Street? The police picked up a gentleman—it was a lady or a gentleman? It was a lady. Under what grounds was she picked up? What was the reason for her being picked up? She was selling fireworks. I think, most likely, she was not an authorized dealer. She was probably a retailer. Where does the retailer fit in? These dealers that are authorized, can they sell to a retailer that can then go out on the street and sell these items to individuals?

Mr. Dulalchan: In fact, four of the five persons I made mention of, including that lady, the officers

who were—

Mr. Chairman: Could you put on your mike?

Mr. Dulalchan: Sorry. In fact, the five persons who I spoke of, four of the persons were charged for retailing without a licence, and they were detected by the officers on patrol checking on these persons who were in fact selling, to see whether or not they had in their possession, licence.

Mr. Forde: So, therefore, an authorized dealer cannot sell to an individual to go and resell?

Mr. Dulalchan: Well, an authorized dealer should sell to persons to retail, ensuring that that person does, in fact, have a licence. But the question is whether or not that is a requirement. Because each and any one of us, depending on how much money we can carry in our pockets, can go to these wholesale dealers and purchase as much fireworks that we want. But in terms of retailing, you are asked not to have more than 30 pounds in your possession.

Mr. Forde: But, then, Mr. Officer, then, it comes back to the same question my Senator colleague was asking. In terms of the perimeter and the boundaries where you can set off fireworks, these individuals continue to purchase, and what is the law doing about it, whether it is the fire services or whether it is the police services as the case may be? But the small man who probably takes a few dollars from his pocket to go and purchase from an individual, he is being taken care of, and as the Senator said, we know clearly where these houses are, where these areas are. We have a communication from a lady in Trincity here, because I live in that area, and, you know what I mean, it is ridiculous. So where does the fire services and the police officers fit in, in line with the law, not only for five but for many fives?

Mr. Chairman: While we are asking the fire and the police to mull on that with respect to the 50-yard perimeter around the property, I will ask MP Newallo-Hosein to come in, and then we will get back to a response to MP Esmond Forde's question.

Mrs. Newallo-Hosein: Thank you, Chair. I just have two questions. The first one is that in the submission from the Ministry of National Security, the police service in particular, you indicated that the Chief Fire Officer is a signatory to the licence for the importation, transportation and storage in the display of fireworks and related explosives. Can you please indicate to the Committee who are the other signatories on these licences?

And in addition to your submission, you indicated that there was only one fire caused by fireworks that resulted in one death. However, there are, I would assume, unconfirmed reports of fires and severe injuries. Can the Chief Fire Officer indicate to the Committee the number of

unconfirmed reports of other fires with severe injuries to people related to the improper use of fireworks that have been recorded in Trinidad and Tobago over the last five years? Thank you.

Mr. Gopaul: Madam Member, the fire service on record has one death. That occurred on the first of January this year. That was in East Port of Spain. However, over the last five years, as the question asked, we had 19 severe injuries and these were not from the records of the fire service, because they were not reported to us. This is because of our enquiries at the hospitals. It is not a reportable offence that they have to inform us. For example, if somebody goes with a gunshot wound to the hospital, it is reportable, but if somebody comes in at the hospital with fireworks damage injury, it is not reportable.

Mr. Chairman: And therefore would you recommended that that now becomes a reportable offence?

Mr. Gopaul: Definitely, Sir. Yes, Sir.

Mr. Chairman: Very well. And I really want to get to the question raised by MP Forde and also building up from Sen. Rohan Sinanan, and the issue is with respect, Mr. Dulalchan, to the four people arrested without a licence for selling the fireworks. My question is: what is the process for these retailers? We understand the law is very clear on the importer getting a licence from the Minister. But what is the process for the retailer then who buys from the wholesaler getting a licence to peddle? What is that process?

Mr. Dulalchan: Sir, an application is made to the court. That application is then forwarded to the senior superintendent who is in charge of that division. An investigation takes place and a recommendation is made. The recommendation reaches back to court and the magistrate will adjudicate.

Mr. Chairman: And a follow-up question with respect to the importers. Are the importers—and it is also to the Ministry of National Security—the importers, the few of them, also when they apply to import, are they also granted licence to peddle domestically as well?

Ms. Pierre Chase: Mr. Chairman, the licence granted by the Minister is solely for importation purposes and therefore a copy is sent to the Customs and Excise Division. It is solely for importation purposes.

Mr. Chairman: Again, to the police service. Have you at times of the year, periodically gone to those tents which are selling the fireworks all over the country to find out whether they are compliant with respect to licences?

Mr. Dulalchan: We do check. I want to admit that there is, in fact, a shortcoming on the part of the police and I think we need to do much more to ensure that all of these outlets are, in fact, checked to ensure that they are, in fact, in compliance with the guidelines stipulated.

Mr. Chairman: Okay. And there is a burning question from MP Hosein but one from the Chair as well, and this is to your legal officer: under what Act will someone apply for a licence to sell fireworks and to retail these items domestically?

Mr. Dulalchan: They would apply for a licence under the Explosives Act, Chap. 16:02. There are two licences. One for a retail dealer and a wholesale dealer. The wholesale dealer, there are no caps or no restrictions on sale in terms of who can you sell to. A wholesale dealer can sell retail to another person or they can sell to a retail dealer. So there are no restrictions on who you can sell to.

Mr. Chairman: There seems to be a gap in the law now, because, you see, if the importer does not face any impediment in selling to anyone domestically, then he becomes an importer/retailer as well.

Mr. Dulalchan: Exactly, Sir.

Mr. Chairman: So we need to look at that gap in the law. MP Hosein, do you have a question?

Mrs. Newallo-Hosein: Yes, to the Ministry of Health. You indicated in your report to us that an injury surveillance system was piloted at the San Fernando General Hospital to capture all injuries presented to the A&E department, both accident injuries requiring primary treatment as well as injuries presenting follow-up treatment. And, of course, as a result of this surveillance system you were able to determine the number of injuries related to fireworks being 25 in total, from 2012 to 2017. Could you advise or give a synopsis of what is the purpose of this surveillance system and do you work in conjunction with the police service? And what is the collaboration between you both and is there some sort of recourse for persons who have been injured due to fireworks in terms of a legal way forward?

Dr. Parasram: Good morning. The injury surveillance system, as we said, is really at San Fernando General, but it is a surveillance system that was not built to capture fireworks per se. So in its present form, it is an IT-driven system. So there are drop boxes for types of injuries. So there may be 10 or 11 drop boxes. There is another column as well. But it does not, at present, include fireworks as a specific injury. As was previously stated, it is not a reportable disease or condition, so either communicable or non-communicable being reported to the police. So it was not built in

as a system to capture that sort of data, initially.

It can be added as a field in the IT system going forward, if it becomes relevant. But of the 25 cases, we have to note, that the 25 cases would have been cases of a moderate to severe nature that would have actually presented to the emergency department. So it is definitely not capturing all the minor injuries that would have occurred. A minor burn or some burning, singeing of the eye lashes, someone may not present at the A&E department. So it is definitely an under-reporting of the number of cases.

But when you look at the nature of cases, in 2015—you see 11 cases in 2015. Predominantly, what we have learnt from South West is that the injuries were related to scratch bomb injuries and would be falling under the category of burns to the hands, mainly, or burns with or without amputations. So in looking at the local data we have found that a lot of the injuries are related to that particular type of firework—scratch bombs—because of the nature of it, partly because of improper use, as was discussed, but I think partly because of failure of the firework itself, in terms of the quality assurance from the suppliers. So there would be some element of failure and some element of general accidents in its use.

Mr. Chairman: Thank you very much, doctor. And now I want to bring in the Ministry of Health. I am familiar, because of media reports, with two instances where fireworks caused serious harm: one, the death that was reported to us by the fire services early this year; and second, a case in which a citizen had her hand seriously injured by a scratch bomb. But what I want to pose to the practising medical doctors—and I want to bring them in—in your line of practice, what types of adverse health consequence have you seen in addition to what was mentioned—burns, and so on? Do you see any problem with asthma, hypertension? What are the cases that you see coming to you that may be not making it into the media, but which are of concern to the medical practitioners themselves? Medical doctors from your practice.

Dr. Parasram: We will ask either of the two doctors from North West or South West, starting with Dr. Sinanan, where we have more data on the subject.

Dr. Sinanan: Good morning, Chair. The 11 cases that the CMO spoke about in 2015 were particularly alarming to us at San Fernando General, and that was so because it involved serious injuries to most of those patients' hands. Those 11 patients, most of them, may have lost one or two fingers. The youngest was a child of about two or three years old.

Mr. Chairman: Just to interrupt you. What caused it? Is it scratch bombs? Is it fireworks?

Dr. Sinanan: The problem in South is really scratch bomb related.

Mr. Chairman: Thank you. You may continue.

Dr. Sinanan: So that is our major area of concern and these were really alarming injuries and it occurred over about a three-day period in 2015, that Divali period. We do not really see too many injuries from the Old Year's night, and we suggest—Dr. Hinds and I were both speaking about it—that it is possibly due to the different type of fireworks that tend to be used. And we see that mirrored in the international literature as well, where different fireworks carry different injury patterns. So we suspect that that may be the case. In terms of the respiratory and cardiovascular issues, whilst it is quite common and extensive in the literature, we have not noted any increase in respiratory or cardiac issues at San Fernando.

Mr. Chairman: Any other medical doctor wanting to respond with cases that you had to deal with in your own practice?

11.15 a.m.

Dr. Hinds: Good morning, Neal Hinds. At Port of Spain General, for the Old Year's period, the pattern of injuries we saw were confined though to what was described before, which were mainly burns, amputations and mainly damage to the upper extremities, secondary and mainly so by scratch bombs once again. To say that we have actually documented or did research to see an increase incidence of respiratory or cardiovascular illness, the answer would be no, we have noted such at Port of Spain General.

Mr. Chairman: Okay. And then do you have a recommendation that you could make with respect to scratch bombs; should they be banned; should they be regulated? What do you think, as medical doctors, we should consider with respect to a public policy in relation to scratch bombs?

Dr. Hinds: Definitely my opinion would be to ban them.

Mr. Chairman: Yes, and I will ask Khadijah Ameen to—Senator?

Miss Ameen: Thank you, Chairman. I have two questions, one is with respect to children and perhaps one of the members of the RHA could answer. In terms of the prevalence of these types of injuries amongst children—although the definition of children, of course, is below the age of 18, the concern is especially for those who, let us say 12 and younger—does your data reflect ages so we could look at the prevalence of injuries amongst children?

Dr. Sinanan: The data as presented by South-West does not give a breakdown of the age, but my personal experience is that most of these people were young people, meaning under 25. As I say

before, the youngest child with a very severe injury was a toddler of about two or three, and that is where we have the main problem because these are the ones who like to play with these things the most.

Dr. Parasram: If I may add to answer that question. We do not have local data, but in terms of international data, Northern Ireland actually did a survey of fireworks injury annually since 1996 and they have basically a quite alarming rate. Almost 65 per cent of their cases had shown in that age group, and as well in, I think United States, there is a study as well that showed children age five to nine had the highest rate of firework injury. So one-third, 35 per cent in United States had a similar age pattern.

Miss Ameen: You see, Mr. Chairman, I am wondering if it is possible after this hearing for the RHA, through their PS, to submit that information because I think it is important for us to consider if children, and I say again, especially those under the age of 12 are at risk and we have to include recommendations for protection of children as we have in other places, legislation, when it comes tobacco products, for example, where children are not allowed and so on, but to make special recommendations to protect our children. I am sure that when you have patients their ages would be listed and it is possible to extract that information even though a specific study may not have been done, it could guide the Committee with its recommendations if that is possible? Do you think that would be possible?

Dr. Parasram: It is possible, but we have to go into the individual notes because of the way the system is set up. When we get an injury, for instance, for your hand, we do not know the cause generally. We have to go back into the notes where the physician would indicate the history of the presenting complaint. So we have to go down to the notes. So we could pull it out, but it will take some length of time to actually go into the individual notes and look at that.

Miss Ameen: My next question, Mr. Chairman, could be taken by any one of the members. In many instances communities are affected. Sen. Sinanan mentioned the fact that within a residential area you really do not have the 60 feet distance required from a house or a building to set off explosives, many instances where residents complain of noise, the trauma to their pets and their children, and particularly the elderly. These happen in communities and I know the definition of a town in Trinidad and Tobago is overdue to be revised, but has the regional corporations been involved, or partnered with in any way when it comes to restricting the use of fireworks within communities, particularly because we have so many residential areas developed since the

definition of a town in our laws came about? Have you ever had any exercises with regional corporations to reach communities?

Mr. Dulalchan: I just want to go back to indicate and I think it is important here for us to really note we need really to carefully look at the definition of a road. The law really speaks to within 60 feet. Now the thing is, it does not really speak much about the person who lives behind you, or the person who lives beside you, and if I should just take a minute to just read it out, one would really understand where we really need some work to be done in relation to this.

“Any person who throws, cast, sets fire to, or lets off any fireworks into, in, or upon any street not being in any town, or into, in, or upon any place being within sixty feet of the centre of any such street, is liable to a fine of four hundred dollars.”

So we need to seriously do some work in relation to putting some restrictions here. And I quite agree because when I was doing a little research I asked myself, I say, look, 100 by 50. If I measure 60 feet from the centre of the road and then when I put a point, 25 feet so and 25 feet so, and my neighbour dog kennel is probably adjoining my property, it really shows you the kind of impact it does have and one must also really understand and appreciate the proliferation of fireworks. In some station districts, we do have 15 and 16 communities, and we could well imagine in each street in a community around these festive times, several persons are in fact being involved in, if not on the street, they are being involved with the usage in the property.

Mr. Chairman: But Mr. Acting Commissioner, they are breaking the law.

Mr. Dulalchan: Sir, I quite agree and this is what I am saying. We actually have to catch these people physically in the act, and this is what we would have done in the case. What we really need to, what we do, what we do in our town meetings and use our community police officers. Around these times we engage the schools because more or less children are the ones who are more or less being involved, hopefully under the supervision of their parents, where we really engage them to let them know some of the effects, the hazards and so on, all with a hope that we can probably influence them in terms of the usage of thing. But we need to do and—both myself and Mr. Ali were wondering whether now the time has come when we have to restrict the use of sale because each and anybody could buy fireworks.

Mr. Chairman: And therefore we are coming up to recommendations, you know. Would you recommend that a purchaser, not just someone who is vending, but a purchaser of fireworks must have a necessary permit to purchase this device to keep in his possession and to have the permit to

explode that particular device? Are you saying that the purchasers now must also have a licence?

Mr. Dulalchan: Sir, more than that, we are also saying what about the person who buys fireworks, how are we sure that in fact the fireworks at their home is in fact secured properly and away from children? Sen. Ameen spoke to the role of the corporations. We were even discussing the whole use of engaging the corporations where they can probably identify some localities within communities like recreation grounds where they are allowed to use the recreation ground to discharge their fireworks and under proper supervision of—I am just using the term of somebody trained, let us say a safety officer from the fire service, because the thing is we discussed all of the hazards and impact, the whole situation with enforcement and so on, it has now become a culture to become part of the communities. It carries a certain amount of ambiance and pleasure and so on, but the time has come when we seriously have to have it been done in places where we can really regulate, control and have it properly supervised.

Mr. Chairman: Basically we are now coming to the point where we are saying that importers require licence, they get that licence from the Minister of National Security, but that the retailers you are recommending should have a licence and that the buyers should also have as licence as well? We needed to get clear as to how the retailers get their licence. We did not get that very clear, you know. Is it a licence that is granted by the Magistrates' Court?

Miss Ameen: Yes.

Mr. Dulalchan: Yes, Sir.

Mr. Chairman: Okay, the Magistrates' Court. MP Newallo-Hosein.

Mrs. Newallo-Hosein: Just to come back. I have a question, but just to come back to the question I had asked, if you can indicate to the Committee who are the other signatories on these licences? I did not want to cut out from where we were going because it was really exciting to understand that we can provide data. Chief Medical Officer, you can provide data internationally from Ireland, but yet when we had asked our questions to you because of our pre-submitted questions, have there been local research studies, investigations; and does the Ministry consider the current use of fireworks in Trinidad and Tobago as a significant contributor to the respiratory illnesses or cardiovascular illnesses. On both questions you indicated that there was no local research available, and I am wondering, I mean, why is it the Ministry of Health, or all the Ministries as a matter, do not engage in a proper data collection so that we can have our own research, collaborated with those internationally, so that we can have proper policies devised and implemented because,

you know, we are a nation that is growing, and therefore, we need data that is available readily and accurate data to be provided. Would the Ministry consider participating in that level of data collection going forward?

Dr. Parasram: I agree with you wholeheartedly with regard to the availability of data. We have to use data to plan our way forward. Without data we cannot plan our needs, we cannot plan what we need to deliver. So the intent was at South-West for that to be used as a pilot and then go on to the other RHAs, which it will be done in the short course and it has to be linked at this level through an IT base system for it to function well. But even in the countries that I quoted before, their surveillance data did not pick up fireworks.

They used retrospective studies that were done from universities to pick it up because they did not capture that data as well. Probably because it is not a significant cause of disease in those particular countries and we are looking at serious injuries, 25 in South-West Regional Health Authority over five years. That number is pretty small in terms of national level of injuries. So we can indicate it, as I said, include it into the Cyprian-based system, through the IT based component where we could put it in as a line item, but there is in there, I think, fires and burns as a cause already. So it would be a subset of that. So we will have to put it into that.

So I agree, as I said, that we should capture the data in a more holistic form and the Ministry is moving towards an IT based surveillance system to do just that.

Mrs. Newallo-Hosein: The signatories?

Ms. Jacob: I will address the question of the signatories to the import licence from the Minister. So the hon. Minister is the only signatory to that licence. Fire has an input before the licence is granted—fire and police. They will submit their reports and their non-objections to this application. When the licence is granted we have a number of copies sent out. Comptroller of Customs and Excise, Commissioner of Police, the Chief Fire Officer, the Senior Superintendent, the Executive Director or the Chief Executive Officer of the OSH Agency. These are the persons who will also get a copy of this licence.

Mr. Chairman: Just a follow-up on that because MP Forde has a question. Since so many agencies are involved, does the Ministry of National Security, the fire service, work with the Customs and Excise to actually inspect the cargoes to determine that what they say they are importing they are actually importing, to determine if there are illegal substances—you indicated that scratch bombs are supposed to be illegal—do you do that checking of the cargo of the container?

Mr. Gopaul: Mr. Chairman, that is not really possible because they come sealed and the identification could be difficult in that they could be disguised. But I want to say to the Committee that the fire service operates differently, in that under the Summary Offences Act which is 97 years, and the Explosives Act is 110 years, there was no fire service at that time. So the fire service is not captured in terms of a defining role. We derive our responsibility from the Fire Service Act and the OSH Act. That is where our jurisdiction lies.

Mr. Chairman: So basically you are saying you have no authority to ask for a container to be opened for you to check to see—

Mr. Gopaul: Definitely.

Mr. Chairman:—whether there are scratch bombs or any other devices?

Mr. Gopaul: We leave that to the Customs and Excise.

Mr. Forde: Mr. Chairman, hold on. We have a document here provided by the Ministry of National Security which clearly states, Mr. Chairman, “Identify the various government agencies which are required to collaborate in order to effectively regulate improper fireworks practices”, and it goes on to talk, the Trinidad and Tobago Fire Service what are their responsibilities, the Trinidad and Tobago Police Service, Customs and Excise, EMA, Ministry of Health, regional corporation, ODPM.

So we have one thing on paper, but then you all are telling us something else. I am trying hard to come to terms with understanding clearly what are we about. If it is that it is stated here on paper and you all are telling us something else, which one are we to believe? The word of mouth, or what is written in paper? Madam PS?

Ms. Jacob: Chair, if I may? The licence is very explicit. It tells you everything that is supposed to be imported and hence the reason the Customs who are charged with opening cargo and the case like that, they are given a full copy. So they know exactly what is supposed to be imported, the quantities, the descriptions and all such, and that is why Customs is provided with a copy so they can discharge their responsibilities.

Mr. Sinanan: Thank you, Mr. Chairman. I just want to take up from my earlier question and from what the Permanent Secretary said. The Minister has the authority to grant the permit, but this is done in collaboration with either recommendation or objections from different departments including the fire department, right?

Ms. Jacob: Police and fire.

Mr. Sinanan: I just want to find out from the fire department based on the first question: have you all recommended that importer who you have challenges with since 2011; have you all recommended him for his import licence?

Mr. Gopaul: Senator, the answer is no. The reason being the Fire Service Act only give us jurisdiction, only the transportation and unloading of explosives. Under the OSH Act though, the premises, we inspect for the fire certification and that is where our objection lies and we are in the process of looking to shut him down.

Mr. Sinanan: No, no. The question is, he has been importing since 2011—

Mr. Gopaul: 2008.

Mr. Sinanan: 2008. You have a problem with him in 2011?

Mr. Gopaul: Yes, Sir.

Mr. Sinanan: He has been importing 2012, 2013, 2014—

Mr. Gopaul: Right up to 2017, yes.

Mr. Sinanan:—2015, has the fire department objected to his import licence

Mr. Gopaul: No, we have not.

Mr. Sinanan: Why?

Mr. Gopaul: The reason being his storage is a safe place, approved, and in compliance with the criteria for a storage area.

Mr. Sinanan: But you said you have problems—

Mr. Gopaul: With the retail outlet where he stores. Apart from the bunker he has another storage.

Mr. Sinanan: But at the end of the day there is a problem with this importer?

Mr. Gopaul: Definitely. Yes, there is.

Mr. Sinanan: So why not raise an objection to the importation because if I am getting my fireworks in, why am I going to fix the problem if it is going to cost me money? I just leave it like that because my business goes on as normal. Why not just raise an objection to the importation until the problem is solved? Because what we are doing is that we are putting the lives of citizens at risk.

Mr. Gopaul: I will ask the Assistant Chief to continue with that, please.

Mr. Davis: This particular importer has a magazine at Chaguaramas, and therefore, the quantity of explosives that he is bringing into the country, the majority of the explosives goes to the magazine. So once the government magazine is able to take the quantity of explosives that he is

bringing in, we would not have any objection to the licence.

Miss Ameen: They have no legal grounds for that.

Mr. Sinanan: No, I still do not accept that.

Mr. Chairman: Exactly.

Mr. Forde: They are seeing that there was a problem.

Mr. Sinanan: You all saying there is a problem.

Mr. Forde: You all told us there is a problem, you know.

Mr. Sinanan: I am not saying there is a problem.

Mr. Chairman: And the concern is with the retail outlets, not with the magazine. I want to ask a very clear question. There is a problem with a retail outlet. It is accommodating these explosive devices. The fire service has seen a problem. You are telling the Committee that you have no authority to really close that retail outlet down, to actually seize all the offending items and lock them away? You have no authority to do that. You can simply complain that the premises are not to specifications.

Mr. Davis: The premises at Macoya were given certain requirements in regard to upgrading the fire protection system. They were 90 days in which to comply with the requirements and that 90 days has expired. However, we will be going forward in regard to getting that premise licence revoked in regard to the storage of fireworks.

Mr. Chairman: Okay. Tell me something, just hypothetical. The facilities are not in conformity with fire service specifications; your officers fight fires on a daily basis. That is their function. Suppose because of the faulty premises a fire starts in the area that you have mentioned, there are buildings around, who is liable for the loss of others?

Mr. Davis: The setback distance from that building to other buildings, we have approximately about 20 or 30 metres. The type of explosives that he is using are commercial fireworks which it does not have a mass explosive hazard. The types of explosives, the displayed fireworks that he is bringing in that have that type of potential goes to Chaguaramas.

So if there is a fire at that premises, yes, we will be able to deal with it without it spreading to other buildings, but nevertheless we are not willing to take that risk. He is not complying with the requirements in regard to a fixed fire protection system, and we intend to go forward and to try to stop that type of storage.

Mr. Chairman: Okay.

Mr. Forde: What is the timeline of ordering these fireworks in terms of, from placing your order to getting your licence, from placing an order to bring in stuff? What is the timeline? Like for instance, we are in 2017, March, Divali is October/November, Christmas, when do the dealers apply for their licence to bring in stuff for 2017?

Miss Pierre Chase: Based on our experience, the dealers would usually just top up their stocks. So we do not really think there is any occasion in which they actually—

Mr. Forde: So it is a running licence then?

Miss Pierre Chase: Well, the licence is valid. Since 2013 we have limited the life of the licence to one year, from the date on which the Minister signs the licence, but what we find is if his stock is going low, he would apply to import. He would import additional items.

Mr. Forde: No, but if the licence is for one year how come—

Miss Pierre Chase: It is for one year and you can list—there is no limit in terms of the quantity of items you have on the licence.

Mr. Chairman: Okay, could you repeat that? A licence is issued, which is a permit, and you are saying that there is no limit on that licence?

Miss Pierre Chase: The dealer identifies the items he wishes to import—

Mr. Chairman: Only the items?

Miss Pierre Chase:—and that is listed on the licence.

Mr. Chairman: So he could import. You see the law mentions 150 pounds and 50 pounds, so the law does have a poundage to it. I was just thinking that it would make sense for a licence to indicate that you would be given a ministerial permit, but limited to this amount. Is it limited by numbers, by weight? What limits the size of the cargo?

Miss Pierre Chase: In terms from the issue of the import licence, at the level of the Customs, I am not certain as to what limitations are placed and—

Mr. Forde: Mr. Chairman, this clearly shows that—

Mr. Chairman: Let the witness speak.

Miss Pierre Chase:—given over time, because a lot of the times the dealer does not necessarily bring in all the items in one cargo or one shipment. So they have a full year.

Mr. Chairman: So basically we are seeing a licence in which there may be no upper limit to the quantity that he can import in a year. Is that what you are saying?

Miss Pierre Chase: As far as I am aware—

Mr. Chairman: As far as you are aware. Very well. And MP Antoine has a burning question.

Mr. Antoine: Is the Ministry of National Security able to tell us at this point in time how much explosives is there in Trinidad and Tobago based on the importation from these licenced importers? Is the Customs and Excise and the Ministry of National Security keeping a record of the amount of explosives being imported by these dealers into Trinidad and Tobago at this point in time?

Ms. Jacob: We would just be able to say based on the licence that we would have granted, we will be able to say what we have granted approvals for, but as to actually what comes in bit by bit we would not have that information.

Mr. Chairman: For the benefit of the Committee—before you come in MP—is it possible to see a specimen of this licence? You can submit it to us confidentially, to the Committee. Thank you very much.

Mr. Antoine: So the Ministry of National Security is saying that at this point in time they do not know the amount of explosives that had been imported in Trinidad and Tobago in terms of fireworks?

Ms. Jacob: I am saying I do not know how the regulation goes at the bunkers, but I am saying at the magazine, but I am saying we will be able to tell what we have given a licence for.

Mr. Chairman: So basically to answer MP's question, we do not know, apart from the data perhaps that you could glean from Customs, exactly how much has been imported say in 2016. We need Customs data for that.

Ms. Jacob: Yes.

Mr. Chairman: Thank you very much.

Mr. Sinanan: I have one concern and I do not know if the entire panel would agree with me. We saw for Christmas, fireworks being used in a new format where they were putting it in canisters and shooting into houses. I do not know if you all saw those videos that were highlighted.

Mr. Davis: Yes, and people died.

Mr. Sinanan: And listening to the Permanent Secretary where clearly at this point in time we do not know how much fireworks we have in the country at any point in time. We may know how much was imported, but there is no real tabulation as to what is in bunkers, what is in retail, what have been sold. Do you feel we should put a hold on fireworks until we put a system in place that we can monitor and regulate fireworks in this country, seeing that we have taken the fireworks

now to a new level where some citizens are using it for what it was not intended for? Could I have a comment on that?

Mr. Chairman: Police, Ministry of national—I think I already know the Ministry of Health’s position. I do not want to pre-empt you, but police and Ministry of National Security, the question is: should we have a hold on any future importation of fireworks at this time? What is your recommendation?

Mr. Dulalchan: Obviously, I will say, yes.

Mr. Chairman: Okay, very well. And Ministry of National Security.

Ms. Jacob: Chair, I would say that in looking at all the recommendations going forward, we need to have a holistic picture. And in just saying that you are going to stop the importation, it is not a holistic solution because we have these importers with quite a good stock of fireworks ready to set off for the year or two. So that what I am saying is, not that I have an objection, but I am saying I would like to see a whole picture before I would commit to one single element of that.

Mr. Forde: Madam PS, what holistic would you like to see again just coming from this little deliberation here alone? It will be interesting.

Ms. Jacob: Well, certainly there are legislative issues that we must address, and—

Mr. Forde: Yes, but Madam PS, your team of individuals are not dealing with the legislative issues.

Ms. Jacob: No, that is why there has to be a holistic approach because, one, dealing with one single element will not necessarily solve our root problem.

11.45 a.m.

Mr. Forde: No, what the Senator said is to put a hold on future importation. Do you know right now how much stock it have? “For all yuh know, they must be have stock for the next five years.” We do not know. You all are not in a position to tell us what is the stock level.

Mr. Chairman: And basically, I think the point is with respect to the issuance of new licences, you see that is where the crux of the problem is, you know. Given the fact that there is so much that we do not know, so much cracks which exist in the regulation of fireworks, I think the query from Senator and MP is whether—should there not be now a hold on the issuing of new licences? Just let the current licences run their course. Is that a fair recommendation while we sort out the myriads of issues?

Ms. Jacob: I made my comment in the light of the fact that based on the records prior to coming

to this session, we had not issued licences for fireworks since 2014.

Mr. Forde: Mr. Chairman, in light of that then, Madam PS, how soon, therefore, you can provide this Committee with a holistic approach in going forward with regard to fireworks? Are you in a position to give us a time frame so that we may be then able to make a decision based on the holistic approach that you were telling us about? Because the legal officer to the back, the next question I want to ask him is that if it is that the system of licensing that you all are operating with, is it a correct one? Because you are talking about a sort of licensing that you all are rolling over where they bring in and it runs for a period of time so they could bring in five times for the year. Is that legal? That is probably the next question that the legal officer in the back may need to answer.

Mr. Chairman: Right. We need to kind of like tighten up a little bit. We would like to see a specimen of the licence. We were told that you have not issued any new licence since 2014 so what we therefore know is that there is an amount in the country, as MP has indicated, that is voluminous and that maybe what we have is a two-year supply or three-year supply, we do not know. We need to get that information.

But the real issue before us is this. Given the nebulous and the vague areas we are dealing with, what do we do to mitigate the adverse consequences on those who are adversely affected by fireworks? This is what is the issue now because all—the holistic approach, I think, is going to take time but there are some immediate matters we need to deal with. We are in March, Independence is going to be upon us soon, Divali will come before we know it, Old Year's night again. They recur, I can assure you, every year periodically, they do not go away. The doctors are going to have to confront with these issues. There are going to be burns. We need, at this time, to really look at what could we do for 2017 while we consider what to do in the future. MP Newallo-Hosein, you wanted to come in? And then, of course, MP Antoine.

Mrs. Newallo-Hosein: Thank you, Chair. To the Ministry of Health, in your submission, you acknowledged that there should be basic guidelines to follow in protecting animals and of course, humans and you have indicated that the Ministry is reviewing the legislative changes in France, Italy and Sweden to allow for the use of soundless fireworks and prohibition. Has there been any collaboration with the Ministry of Health, the Ministry of National Security as well as the Ministry of Agriculture regarding this matter?

Dr. Parasram: There is no collaboration as we are aware of with the Ministry of National Security.

But our vet public health department, which is the Ministry of Health, has given us statistics related to the animals and the impact of the fireworks on the animals. So we have collaboration in-house and they would collaborate with the Ministry of Agriculture, their vet public health people as well. In looking at the decisions from Italy where it was banned, it was banned predominantly in terms of the effect on the animal population and the geriatric population and the benefits are great in using soundless in terms of health effects on those areas. So we are looking at the legislation and the impact of those decisions in those countries to see if there is a positive impact of the change in legislation.

Mrs. Newallo-Hosein: Now, I understand all that you are saying, however, in terms of the legislation, because this law in particular is related directly under the Ministry of National Security, I thought it would have been prudent to involve the Ministry of National Security in this collaborative effort.

Dr. Parasram: At the first instance, we were looking at the impacts in terms of the target organisms, the human, the health part of it and once we get our data together in terms of that and the impact related to legislative bans in the other countries to show that there is significant evidence to suggest a positive effect, then we will go to the National Security and liaise with them, having the full picture in terms of the evidentiary support to go with a position and a recommendation to them to amend the legislation.

Mr. Chairman: Thank you very much, Mr. Parasram. A follow-up and then we have a question from Sen. Sinanan. And the follow-up is this, you mentioned that in other jurisdictions, there are investigations with respect to the adverse effects on the geriatric population, are you aware of if there are any members of staff within your organization who are au courant with the effects of, say these explosive devices on the geriatric population as it pertains to Trinidad and Tobago? Any practising medical doctors who can address us definitively on that.

Dr. Parasram: There are some members of the psychiatric community who are also not sub-specialized but they have continuous liaison with the geriatric population and can give some data on that.

Mr. Chairman: Okay, very well. May I request in writing a recommendation? Because you did indicate, the last time you appeared before us, that there is no qualified geriatrician in Trinidad and Tobago.

Dr. Parasram: Yeah.

Mr. Chairman: So I think, given our growing geriatric population, I really would like to hear what a specialist will tell us on the adverse effects on the population of Trinidad and Tobago, 60-plus as it were.

Dr. Parasram: Okay, Chairman.

Mr. Chairman: Okay. So I would ask in writing if you could recommend technical experts in the medical field who will be able to advise the Committee on the adverse effects. Sen. Sinanan.

Mr. Sinanan: I just want to touch back on that point after the PS made the observation that there were no licences granted since 2014. It raised another concern that I have and I do not know if the fire department could assist me with this and the police. Fireworks are basically composed of an element of gunpowder and we all know with gunpowder and so and fireworks, there is a time span that you would not want to ignite these fireworks after a certain period of time because we have seen, we have always heard about fireworks being cold and then when you light them, they actually backfire and the sparks going all different directions. If since 2014, no licences were granted, it means that we could probably have fireworks on the ground here for over five years. What checks and balances are in place to make sure that people buying fireworks in 2017 are not buying fireworks that are five years old and could do harm to them, to the population? Could we have some clarification on that from the fire department?—if that theory makes sense at all.

Mr. Chairman: Basically with respect to, you know, in every product we buy now, it is best if used by expiry dates. Do you, in the fire services, check to see if there is an expiry date with respect to the fireworks existing, the fireworks coming through the port? Who does that and should it not be done now? Because what Sen. Sinanan has said is valuable. If we have so much old fireworks in the country and the thing has gone dormant, what is the threat now to life and limb in Trinidad and Tobago? Maybe, are we sitting on a real potential problem now? Yes, fire services, please.

Mr. Davis: With regard to expired fireworks, where they have storage at the government facility, the Government has a responsibility to get rid of those fireworks. Now, fireworks could be discarded in two ways. One, by burning and two, by drowning in water, according to the type of fireworks. So the Defence Force or police service normally, where the fireworks are stored at the government magazine, will dispose of fireworks that are expired. In regard to the importers, these fireworks are supposed to be returned to the manufacturers. Whether that is being done or not, I cannot answer that really.

Mr. Chairman: But do you not think now, given the concerns raised by Sen. Sinanan, that maybe

the fire services should do a spot check?

Mr. Davis: Definitely.

Mr. Chairman: And go into that offending bunker that was somewhere in Macoya, look at some of the fireworks they have and see whether they have expired and therefore, once they are expired, inform the Defence Force that these fireworks maybe ought to be submerged in the water in the public interest.

Mr. Davis: That is something that is supposed to be ongoing.

Mr. Chairman: Okay, so supposed to be ongoing. Has it ever been done? No, it has not been done. May I recommend that the fire services make the necessary trip and do a spot check simply to satisfy us in the Committee that the public interest is not imperilled with expired fireworks?

Mr. Davis: Thank you.

Mr. Sinanan: Mr. Chairman, can I ask to leave?

Mr. Chairman: Very well. And Sen. Sinanan has asked to leave and I thank him for his contribution. MP Antoine.

Brig. Gen. Antoine: As you would realize, this enquiry is generating a national interest and we have an email from—as the MP for Tunapuna, we have an email from someone from Trincity who is concerned about the elderly and animals and so forth who are being affected by the fireworks. I am following up to MP Newallo’s statement in terms of the collaboration between Ministry of Health, Ministry of Agriculture and Ministry of National Security in terms of the way forward. I am looking for solutions. Can we say that in the future, certain areas should be designated for fireworks by the communities? We have sport fields throughout Trinidad and Tobago. The Government has spent a lot of money in lighting these sport fields and do all sorts of work. Should we have designated areas in the communities where people can go and carry out the fireworks so the fireworks would not be within the residential areas in terms of the houses?

And really and truly, I travel from Arima to the Savannah to see fireworks on Independence as the case may be. So there is not a problem in people moving to a location where they can see the fireworks. So as a solution, can we look towards the Ministries collaborating and coming up with designated areas that can be supervised by the police and the fire services that people can go to and set out the fireworks? Is that a way forward?

Mr. Chairman: Yes, and of course, given the observation of Mr. Dulalchan with respect to people are breaking the law by exploding the devices close to where they live. So a response to MP’s

question with respect to designated areas.

Mr. Dulalchan: Mr. Chairman, I just want to indicate that this morning before I left home, I had communication with a very senior ex-employee from civil aviation so I asked him, I said tell me something. Is there anything, because I know for a fact that the landing part of our aircraft is just behind or passing through Kelly Village, as well as the taking-off part and he was telling me that really and truly, whilst there is law speaking to the pointing of laser, there is nothing really to control the use of fireworks away from the roadway that could somehow impede the pilots—

Mr. Chairman: So basically, you are saying that we need to look at the law with respect to impediments to aircraft—

Mr. Dulalchan: Yes, yes.

Mr. Chairman:—as they have with the use of laser lights and include fireworks in there, that within the flight path of an aircraft, there should be absolutely no use of fireworks in that particular area.

Mr. Dulalchan: No fireworks. And Sir, another thing, in just looking at the Act too, I was trying to find out what is the role of the Bureau of Standards. To me, there is no role. I have not identified any role for Bureau of Standards in terms of ensuring the quality of the fireworks that are, in fact, being stored.

Mr. Chairman: I want to pass on that to the fire department. Do you have any role with respect to ensuring that the devices which are imported are devices which comply with Fire Services Regulations in terms of incendiary devices? Do you have any leeway, any flexibility, to indicate that this particular item that you are importing is too much of a risky one and we will not allow it because it can cause fires?

Mr. Gopaul: Mr. Chairman, that will just be in the form of a recommendation but we have no way of really ascertaining that.

Mr. Chairman: Yeah, thank you very much.

Miss Ameen: Chairman, there is a limit to the age—the current legal age at which a person can purchase fireworks and that is the age of 16. With the revision in the definition of a child under the previous administration, to age of 18, clearly the present Act has to be revised to come in line with that. But there seems to be no limit on the age of a person allowed to handle or discharge fireworks. Tell me if that is so and if that is a recommendation that you would allow: one, for the age for a person to purchase fireworks—well, they call it gunpowder, right?—to be increased from

presently which is 16 to 18; and two, for there to be introduced an age limit for which a person is allowed handle or discharge fireworks and that would in turn give the police the power to deal with anyone who is—to protect people, children that is, from handling fireworks.

Mr. Dulalchan: Certainly.

Mr. Chairman: Very well.

Miss Ameen: Mr. Chairman, while we have discussed a lot of the legal issues in terms of what is happening nationally with the amount of fireworks and so on, I think it is always important to remember the little people and a lot of the complaints concerning fireworks come from citizens who experience problems with their pets, their animals who are frightened by the noises, the danger of the pets hurting themselves; the disruption it would cause in their own lives in terms of sleeping, because of the explosives, and some people could be very understanding but there are many who are ill and because of their illness, they really cannot withstand the explosions and I can tell you because I live in one of those places that is considered at risk. When you hear an explosion, sometimes you are not sure if it is fireworks or gunshots and we must take into consideration the impact of, not just the explosion but the noise because I think many citizens who object to the use of fireworks do so because it causes a nuisance to them based on the noise.

Are there recommendations that we could put forward with regard to treating with this nuisance? Even though, of course, I know when it comes to implementation, it may be a bit difficult because citizens have to police themselves as well. But are there recommendations or have recommendations been made to treat with these three major nuisances that I identified?

Mr. Dulalchan: The police would have made several recommendations and I think one has to do with whether or not—to serve as a deterrent whilst there is a problem with the level of enforcement; whether or not the fine, I mean, it is \$400, \$1,000, and then whether or not we limit the amount to be sold to, maybe, a household and as well as the permit. More than that too, the area in which we discussed where you have a central location in communities where people can go and who wish to go and observe the beauty of fireworks would be able to go and sit around the Savannah and so on. So who want to discharge, they can be there under proper control and supervision and who want to look at the fireworks, they can also go to the parks and so on.

Mr. Chairman: Thank you, Mr. Dulalchan. I think really one of the things we need to be looking at, as per your recommendation, is that the actual buyer of fireworks who is going to explode them, maybe in his private premises, although he is breaking the law, must get a permit. I think he needs

a permit.

I want to raise a question to the medical doctors. Through you, Mr. Chief Medical Officer, we were told that one of the problems that you have observed in the facilities is that there is a loss of digits, of fingers by some of our children. Sen. Ameen has focused on the risk to children. What I would like to know is, is it that you all have been able to reattach the digits or are these children going to live the rest of their lives missing certain fingers? Were you able to reattach or is it that they have to learn to live with less than five fingers?

Dr. Sinanan: As far as I am aware, they were not able to reattach.

Mr. Chairman: [*Inaudible*] cause the point of Sen. Ameen on the age of use of fireworks. Do you have a question, again?

Miss Ameen: Mr. Chairman, one more thing with regard to—and I go back again to communities and local communities. When I was the Chairman of Tunapuna/Piarco Corporation, there was an exercise for Independence Day and particularly because we had the 50th anniversary of independence, for each regional corporation—MP Forde was a member of that council—where each regional corporation held one major celebration including a display of fireworks and that allowed people from each region to come to that central location rather than everybody going to Port of Spain and the traffic and all the other hazards that are included there. But, in each corporation, the corporations would have funded and ensured that they had the approvals and the supervision and we had good support from the fire services to ensure that everything was done in accordance with the law.

What is coming out of this discussion is even further decentralization. When you speak of community playgrounds, where you would give permission—and I want us to be very cautious about what we are suggesting and clear—where you would allow an area, an approved area to be designated, you have the fire services and the supervision of safety officers. But is it that we are suggesting that we allow citizens to come to this designated area to discharge their fireworks that they purchased on their own, or is it that we are saying you are going to have a fireworks display that is done by an approved provider with the supervision? So that you eliminate ordinary citizens actually lighting the fireworks and particularly where—and I spoke about eliminating the handling of fireworks by children completely, but that is where the risk comes to the citizens where you have burns and explosions in people's hands and so on.

So I think we have to be very cautious as to whether we are making a suggestion to have a

designated space with supervision but still allow citizens to ignite their own fireworks, or we eliminate that completely and put the ignition of the fireworks into the hands of trained authorized persons. If you are in a position to indicate the direction you prefer now, that is good but it is something that you may want to deliberate or consult on before we go forward, and I do not want to come across as though you want to deprive citizens of the joy of lighting fireworks in a proper manner. But do you have any thoughts on that?

Mr. Gopaul: Mr. Chairman, the ideas that were given at this forum are all valid and something that we look forward to implementation in terms of the fire services' point of view. The first question was asked: should importation be given a moratorium or a ban and our answer is no. We see the emphasis being placed on the end user. The average citizen who is given permission to ignite, whether 60 feet from the road or otherwise, that is where the problem lies, in that there are ramifications for setting off fireworks: the fallout, it is poisonous, it is an ignition source, it is a source of hazard to anybody who comes into contact with it. So we see that fireworks should be imported, it should be retailed, but to specific people who are trained and who meet certain criteria. The idea of a central area in each community is one that we will support but it has to be regulated in terms of the number of people who are allowed to come there, and the timing of the event and the supervising and the other categories of the criteria that should be laid down to ensure public safety. So we are in support of that part but the end user is where our problems are derived.

Mr. Chairman: Thank you, Fire Officer. But your recommendation is in sync with the police in that the end user must obtain the necessary permit in order to set off a firework. He cannot just buy it willy-nilly and set it off on his own when he wishes. So that that seems to be where we need to be targeting the end user so he could be trained and he knows exactly what his parameters are. MP Newallo-Hosein.

Mrs. Newallo-Hosein: Thank you, Chair. Before I go on to my main question, I just want to ask: is there a fee when applying for a licence? Anyone, is there a fee?

Mr. Ali: There is a fee at the Magistrates' Court level: \$250 for a retailer's licence, \$500 for a wholesaler's licence.

Mrs. Newallo-Hosein: All right, so the large importers—

Ms. Pierre Chase: No, there is no fee attached to the import licences.

Mrs. Newallo-Hosein: All right, okay. Just ago, I know that—sorry, the fire services had indicated that you undertake an ongoing campaign, education campaign, through your fire prevention

section but these are done with visits to schools and companies and other fora. What exactly does the education campaign entail and do you have any intentions of implementing other educational campaigns to increase the level of awareness of the dangers associated with the improper use of fireworks, particularly using social media and do you have adequate resources to do such? And that will be my final question. Thank you.

Mr. Gopaul: That is correct what you have said there, MP. But our outreach campaign has been intensified over the last years because we wanted to have a proactive approach to fire safety and public safety. Fireworks are the focus of this Committee, hence it is being mentioned in our response to you but it is only part of our public education campaign. The part of the question in terms of the resources, it is an ongoing thing in that we train people, foreign and locally, to be part of the fire prevention section and it is an ongoing campaign. The answer is yes.

Mr. Chairman: Thank you very much. Members, witnesses, this has been a very informative session. We are now very much apprised of the fact that fireworks represent a problem at all stages. I am surprised to learn that the importer pays no licence fee but—the large containers come in free of licence, that is revenue leakage; foreign exchange is being used. I think we need to be looking at foreign exchange use to purchase more medicines, in my mind, to heal the burns and the wounds that are coming from the fireworks.

But it is now 12.12 and I would like to conclude this morning's proceedings by 12.15. There is a sitting this afternoon of the House of Representatives of which we have two Members here. So may I ask at this point—we have now opened the discussion on fireworks. I thought we were going to close this morning, it has now been opened. We need other stakeholders and we may need to re-invite you to return once we have looked at other stakeholders as well, because at the end of these proceedings, we would like to have concrete recommendations which, at the level of the Parliament, we could use the arm of the Parliament to implement, to ensure that this particular activity is not growing to be the nuisance that it is in the future. So may I ask the following to offer some brief closing remarks: Mr. Richard Madray, Ms. Lydia Jacobs and Mr. Deodat Dulalchan in that order before I conclude this morning's proceedings.

Mr. Madray: Again, I thank you for the opportunity, Chair and members, to collaborate and to contribute on what has been an enlightening exploration of this sensitive subject. I endorse the comments of the Chair and members as well as the PS, National Security, that this is the beginning of a discussion and we do need to have a more comprehensive exploration of the issue that it does

involve all of the multiple stakeholders that are part of this process before a significant policy decision is made.

The Ministry of Health commits to continue to look at and to work with the various other Ministries on two particular areas involving the scratch bomb issue, as well as the possible legislative issues regarding noiseless fireworks and of course, to provide you with the information that you requested.

Mr. Chairman: Thank you very much, Mr. Madray. Now Ms. Lydia Jacob, Permanent Secretary, Ministry of National Security.

Ms. Jacob: Yes, Chair, our deliberations this morning have certainly indicated that there is much work to be done across the board. Further, there is need for greater collaboration as we seek to derive long-term solutions to the many issues and the challenges raised this morning and we as well commit to working with our stakeholders. In fact, in our deliberations to come to this Committee today, we did look at a number of recommendations but certainly the time frame did not allow us to expand and explore and really dissect those recommendations. So, in moving forward, we will be looking forward to really presenting you with a very comprehensive list of recommendations along with some of the pros and cons of each of those. I thank you.

12.15 p.m.

Mr. Chairman: Thank you very much. But before I go to Mr. Dulalchan, it will probably be fair if I were to ask the Chief Fire Officer as well because this impacts upon your department in a significant way. Brief closing remarks, Chief Fire Officer.

Mr. Gopaul: Thank you, Mr. Chairman. We are happy to be a part of this Committee where the focus will shift on one of our main concerns: any incendiary device, any form of ignition and any hazard to the public that jeopardizes their safety, we want to be part of and we are happy to be part and our recommendations will be considered. Thank you.

Mr. Chairman: Thank you very much. And now Mr. Dulalchan.

Mr. Dulalchan: Sir, I wish to indicate that the TTPS is, in fact, committed to future stakeholder consultation, really to bring some sanity surrounding all the issues pertaining to fireworks as it impacts man, animals and birds.

Mr. Chairman: Yes, thank you very much. Are there any members of the Committee who would like to have brief closing remarks?

Mr. Forde: Yes.

Mr. Chairman: Briefly, MP Forde, briefly.

Mr. Forde: Yes, brief. Again, members, again, I appreciate you all attending our meeting today and as the PS from National Security mentioned, collaboration among the various stakeholders: TTPS, fire services, EMA, regional corporations, Customs—all the relevant bodies, in order to ensure that we are all on the same page.

Mr. Chairman: Thank you very much, Mr. Forde.

Mr. Forde: One second. It is law. Members, no, no. Mr. Chairman, give me one second. It is law so all we have to do is to enforce the law and carry it out to the best of our ability. Right? And at the end of the day, we look forward to the report coming from the PS.

Mr. Chairman: Excellent. We have now started, and Mr. Forde, this is only the first hearing, we will have a subsequent hearing because we do need to be looking at the impact on comfort animals and pets, the geriatric population, the children in general. So it is going to have a second session and we are going to come up with solutions.

At this point, I really want to thank all of our witnesses, from the medical doctors, the legal advisor from the Ministry of National Security, representatives of the fire services, Ministry of National Security, Ministry of Health and the police service. All the stakeholders, I want to thank you sincerely. You have brought on to the table for the national community and for the benefit of this parliamentary Joint Select Committee a number of issues which now make it quite clear why this issue of fireworks regulation is now of utmost priority in the public interest.

This Joint Select Committee, as you now, is a committee of all benches in Parliament. Five benches are represented and we do have a keen interest in working with all arms of the State to ensure that the public interest is defended.

I thank you. I thank members of the media for being here. I want to thank all members of our listening audience and I want to indicate that, to all those listening to us on the Parliament Channel, if you do have any suggestions on this important social issue, please indicate to us via the Internet or via the Secretary and we will be taking your recommendations on board. At this time, 12.18, I would have liked to continue but as I said, there is a sitting of the House so I do need to adjourn and we will, hopefully, have another session where we would come up with some more definitive recommendations to solve the problem. Thank you all. Very good afternoon. Take care.

12.18 p.m.: *Meeting adjourned.*

Appendix VI

EXCERPT OF VERBATIM NOTES OF THE THIRTEENTH MEETING OF THE JOINT SELECT COMMITTEE ON SOCIAL SERVICES AND PUBLIC ADMINISTRATION, HELD IN THE ANR ROBINSON MEETING ROOM (WEST), LEVEL 9, OFFICE OF THE PARLIAMENT, TOWER D, THE PORT OF SPAIN INTERNATIONAL WATERFRONT CENTRE, #1A WRIGHTSON ROAD, PORT OF SPAIN, ON WEDNESDAY, APRIL 19, 2017 AT 9.35 A.M.

PRESENT

Dr. Dhanayshar Mahabir	Chairman
Mr. Esmond Forde	Vice-Chairman
Brig. Gen. Ancil Antoine	Member
Mrs. Christine Newallo-Hosein	Member
Mr. Rohan Sinanan	Member
Ms. Ayanna Lewis	Member
Mr. Julien Ogilvie	Secretary
Miss Kimberly Mitchell	Assistant Secretary

ABSENT

Miss Khadijah Ameen	Member [<i>Excused</i>]
Mrs. Glenda Jennings-Smith	Member [<i>Excused</i>]

10.35 a.m.: *Meeting resumed.*

Environment Management Authority

Ms. Gayatri Badri Maharaj	General Manager, Legal, Compliance and Enforcement
Mr. Wayne Rajkumar	Manager, Technical Services
Mr. Maurice Wishart	Legal Officer III

Animal Welfare Network

Ms. Patricia Green	Chairman
Ms. Sita Kuruvilla	Committee Member

[Introductions made]

Mr. Chairman: Members of the EMA.

[Introductions made]

Mr. Chairman: Animal and Welfare Network

[Introductions made]

Mr. Chairman: Trinidad and Tobago Veterinary Association.

[Introductions made]

Mr. Chairman: Thank you very much. Any other member? Yes.

[Introductions made]

Mr. Chairman: Thank you very much witnesses, and I will now invite members of the Committee to introduce themselves, and I will start with my right.

[Introductions made]

10.40 a.m.

Mr. Chairman: At this point I will like to ask the key representatives to make some brief opening statements before we begin our enquiry. May I invite the Ministry of Agriculture, Land and Fisheries to begin, then the EMA, we then proceed to the Animal Welfare Network and the Veterinary Association in that order.

Mr. Kellar: Thank you, Chair. I will be brief. The Ministry of Agriculture, Land and Fisheries recognizes that the issue of—the impact of explosives, fireworks on animal health/welfare is one of growing concern, not only locally but internationally, and we welcome the opportunity to present ourselves before the Committee this morning to share in the discussion which is what we hope will be a fruitful one.

Mr. Chairman: Thank you very much. Environmental Management Authority.

Ms. Badri Maharaj: Good morning Chair and members. We are happy to be here this morning and we, as well, do hope that we can be of assistance to the Committee. We have produced some of our statements in writing and we are willing to cooperate as fully as possible.

Mr. Chairman: Thank you very much. Animal Welfare Network.

Ms. Green: Chair, members, we have seen the results of the indiscriminate use of fireworks which has escalated over the last few years and we appreciate this opportunity to address you because we do feel that this is an area which needs regulation. Thank you.

Mr. Chairman: Thank you very much. Veterinary Association.

Dr. Mackenzie: Thank you again, Chair, for having us. We at the Trinidad and Tobago Veterinary Association represent the professional body of veterinarians in Trinidad. As such, this is something that is on the forefront of what we want to deal with this year and in the coming years. Recently in Trinidad there has been a sharp increase in the number of pets—dogs and cats and exotic pets—and as such we have seen a sharp rise in firework related injuries. I think it goes hand in hand with the increase in the pet population therefore increase in incidents and it is a major concern for us now so we are happy to be here to address that.

Mr. Chairman: Thank you very much, Veterinary Association. The format will be, I will regulate the proceedings and of course members will pose their questions and as Chairman I exercise the prerogative of the Chairman to open the questioning and I shall pose a few small questions before we begin the general enquiry. And the first is to the Veterinary Association. You indicated that there has been a growth in the pet population in Trinidad and Tobago. Have you seen over the last five years or so an increase in the number of comfort animals in Trinidad and Tobago where people have certain pets which are used to provide some kind of comfort to them, who may be suffering some sort of mental problem? Have you seen that at all? Therapy animals, yes.

Dr. Mackenzie: I will answer the question in two parts. Firstly, yes, there is definitely been an increase in the number of household pets, domestic pets in Trinidad. Certainly that will go hand in hand with comfort animals. I think, generally, Trinidad has become a lot of more pet conscious, pet aware. There are many reasons for that. I think with the advent of believe it or not, cable TV, *Animal Planet*, the awareness of the population in general to what is expected in terms of animal care and welfare, we found that the population growth has increased sharply, which is a good thing, it is a positive thing.

In the second part to your question is, what goes hand in hand with that is, yes, certainly it is an increase for companion animals that will help people in mental illness and so on.

Mr. Chairman: Thank you very much doctor. Briefly now to the Environmental Management Authority. I noted your submission and I would like to get your response with respect to section 2 of the EMA Act and in particular definitions. Under definitions, it states:

“noise pollution’ means any disturbance of the environment by a pollutant consisting of sound or other vibrations;”

This is the definition of the EMA Act of 2000. And the guidance I need to get from the Environmental Management Authority is, whether in your opinion the explosive devices of any

form which creates noise in the atmosphere falls under your remit for oversight, recommendation or control. I will read it again:

“noise pollution’ means any disturbance of the environment by a pollutant consisting of sound or other vibrations”

Your position as to your remit with respect to fireworks regulations.

Ms. Badri Maharaj: Chair, the noise Pollution Control Rules was promulgated in 2001. The remit of the Environmental Management Authority, indeed we treat with noise, but noise as it relates to static devices. Noise from motor vehicles, et cetera, that is not within the remit of the EMA. Noise from fireworks however, we are not saying that we are not treating with the issue of fireworks. In the issue with the noise variation process, we do deal with fireworks. To answer the question as to whether it falls within the remit of the EMA, I would suggest, and perhaps strongly so, that it does fall within the remit of other agencies as well and the EMA, we are the last agency treating with this issue of fireworks, but from a regulatory perspective.

Mr. Chairman: Okay. Follow-up question. Have you ever undertaken any study with respect to the decibel level of an explosive device or explosive devices during a fireworks explosion or fireworks display? Have you ever done that to let the population know what the decibel level is in relation to what is normal?

Ms. Badri Maharaj: At this stage, Chairman, we have not undertaken any such study.

Mr. Chairman: Okay. Do you think it is something that, as an environmental agency, you should be interested in?

Ms. Badri Maharaj: We do have a Noise Advisory Council and that Council is a Council that is established under the Noise Pollution Control Rules and indeed it is something we can take to that Council.

Mr. Chairman: So at this point in time we do not have any scientific evidence, this Committee does not have any scientific evidence to guide us with respect to the decibel levels of the explosive devices known as fireworks in Trinidad and Tobago.

Ms. Badri Maharaj: What we do have, Chair, is, we do regulate to some extent as I say through the variation process. But to answer your question, no, that is not existing at this time.

Mr. Chairman: Okay. Very well. Thank you very much. Now, to the Ministry of Agriculture, Land and Fisheries. The Ministry of Agriculture, Land and Fisheries, this is what I would like to pose to you and I would like to read section 78 and section 79 of the Summary Offences Act, Chap.

11:02. This is subtitled:

“CRUELTY TO ANIMALS”

Are you aware of sections 78 and 79 of the Summary Offences Act?

Hon. Member: Chair, we are aware.

Mr. Chairman: Very well. Okay. For the benefit of the population I would like to read, because under section 78 it says:

“In sections 79 to 90 (inclusive) ‘animal’ means any horse, mare, gelding, colt, filly, bull, cow, ox, steer, heifer, calf, mule, ass, ram, ewe, sheep, lamb, boar, sow, barrow, hog, pig, goat, kid, dog, cat, or any other domestic animal, whether of the kind or species particularly mentioned or of any other kind or species whatsoever, and whether a quadruped or not.”

And then section 79 continues:

“(1) Any person who cruelly beats, ill-treats, starves, overdrives, overrides, overloads, abuses, tortures, or otherwise maltreats any animal is liable to a fine of four hundred dollars or to imprisonment for two months.”

To the Ministry of Agriculture, Land and Fisheries, do you think it is under your control to supervise the treatment of animals in Trinidad and Tobago, both of the kind mentioned, as well as dogs and cats, and to sensitize the population as to the consequences of ill-treating animals including dogs and cats?—because the law is very clear. It says:

“...or otherwise maltreats any animal...”

—anything that will cause injury, anything—this law is very broad, anything that will cause an injury to an animal you could be:

“...liable to a fine of four hundred dollars or to imprisonment for two months.”

What do you think is the role of the Ministry of Agriculture, Land and Fisheries in enforcing sections 78 and 79 of the Summary Offences Act?

Mr. Kellar: Chair, I think I obviously need to be particularly careful in making a response to that question that has been posed. It contains very many facets and aspects. The definition of animal is a long one, so I will try to choose my words as carefully as possible.

Admittedly, at the point in time when the legislation was crafted, I am not sure whether it was considered that the Ministry of Agriculture, Land and Fisheries— well, obviously there was not a Ministry of Agriculture, Land and Fisheries at that time—should be the Ministry or a Ministry that would be responsible for providing oversight for the care of animals as defined in the section.

The Ministry's remit, as we tend to see it, lies closely to another piece of legislation which deals with the animal importation, Animals (Diseases and Importation) Act—I am paraphrasing—which essentially gives the Ministry of Agriculture, Land and Fisheries responsibility for looking at animal health and the control of infectious diseases. Yes, the issue of how animals are treated is of concern to the Ministry of Agriculture, Land and Fisheries and we do see our remit lying primarily with animals that are kept for food production purposes, the pigs, the goats, the cows and the like, and certainly we would not want to know that persons are ill-treating animals. The Summary Offences Act speaks to that, that animals should not be treated with cruelty and we certainly would want to maintain civil practices, humane practices to animals. But I am not sure that under the piece of legislation that you quoted initially that that remit falls solely on the shoulders of the Ministry of Agriculture, Land and Fisheries.

We do acknowledge that over time as people, societies become more enlightened, roles can evolve and develop and to the extent that coming out of this discussion if we see that is part of the remit of the Ministry, I think we would be willing to consider.

Mr. Chairman: Okay. Thank you very much, Deputy Permanent Secretary, but may I quote from the Trinidad and Tobago *Gazette*, December 04, 2015.

“Minister

Ministry of Agriculture, Land and Fisheries”

It gives a great deal of activities and it starts with:

“Agricultural Policy and Planning

Agricultural Research”

—and then:

“Animal Health and Protection”

If you do not have this I will forward it to you. It is very clear to me, reading the *Gazette* of December 04, 2015 that the Ministry of Agriculture, Land and Fisheries is duty bound, according to the *Gazette*, to look after animal health and protection. The *Gazette* is very clear.

So I would like to forward this to you and we would like to get subsequent from you, in writing, your position with respect to, really, because at this time the Committee is not aware of whether any citizen within recent time has been charged with a violation of section 79 of the Summary Offences Act and what kind of guidance is given to the police in Trinidad and Tobago by any arm of the State to ensure that a charge could be laid and given that the *Gazette* is very

clear with respect to the duties of the Ministry of Agriculture, Land and Fisheries, Animal Health and Protection, I would recommend that you look at the December 04th *Gazette*, look at sections 78 and 79 and determine whether in fact it really falls within your remit, to advise the police or to have any arm or agency to look at the ill-treatment of animals, within the Ministry of Agriculture, Land and Fisheries.

Finally, to Animal Welfare Network, I shall not be quoting any law guiding the Animal Welfare Network, but within recent times we have really seen, as the Veterinary Association representative indicated, an explosion of the pet population in Trinidad and Tobago. Could you, from the experience you have had over the last number of years, indicate briefly what your organization has observed with respect to the effects of these explosive devices on the standard types of pets kept in Trinidad and Tobago, in particular dogs and cats.

Ms. Green: Thank you, Chair. We have noticed a proliferation of pets being injured as a result of the fear caused by these loud explosions. As Dr. Mackenzie observed, we keep in close touch with a number of veterinary clinics across the country and a recent survey that we did suggested that there is a definite increase in the appearance of patients with fireworks related injuries any time, particularly between Divali and shortly after the New Year; this is very regrettable. Those are, though, the animals which are in some ways fortunate and have owners that care enough to take them for veterinary care when injured.

There is another aspect which we have noted. There are many reports that come in to us via telephone, email, our facebook page, which is very active, and these are regarding dogs and cats which are lost by their owners, and also reports of animals being seen running on the nation's highways and in other districts. The dogs and cats, in particular, which are seen on the highways, unfortunately, are often hit by vehicles, therefore deceased. But they can also potentially be a cause of accidents.

There was one particular case some years ago where there was an accident which unfortunately also involved a human death, but it appeared to have been caused by an animal rushing into the traffic at Valsayn, a person taking a natural reaction to trying to avoid hitting it and hitting another car. That is one example. I am sure there are many others known to people who follow this. So we have a number of concerns about this.

There is another point which has come up during the survey, which is a tremendous increase in the request to veterinary clinics for tranquilizers for our pet animals. Basically we

understand veterinarians have advised us that you simply cannot tranquilize animals throughout an entire season. I will leave any further remarks on that to Dr. Mackenzie. But, as you can see, you cannot keep an animal doped up from October to the end of January.

Mr. Chairman: Very well. Do you think that if the animal is tranquilized from October to January, it will constitute cruel and unusual punishment, cruelty to animals?

Ms. Green: I would prefer if you ask that question to Dr. Mackenzie, Chair.

Mr. Chairman: Very well, thank you very much. Okay, I will direct it to the Veterinary Association. Do you think that a prolonged period of tranquilization constitutes really, injury, cruelty to animals as per the requirements of the Summary Offences Act, cruelty to animals, if you were to tranquilize on a daily basis?

Dr. Mackenzie: Thank you. Sedation/tranquilization is almost a mild form of anesthesia and we can relate this to any mammal including humans. It is not feasible and it is certainly not healthy. I think the animal is put at great risk for a prolonged or repeated sedations. That is medically proven.

Mr. Chairman: Thank you very much doctor. And now we will open up the questioning. I will begin with MP Newallo-Hosein and then MP Esmond Forde has a second question, we will move around in that way.

Ms. Newallo-Hosein: Thank you, Chair. The question is to Dr. Mackenzie. Dr. Mackenzie, you had indicated in your opening statement that you have seen an increase in injuries particularly with fireworks and so forth. What types of injuries do you see and what percentage of those injuries would you say are wilful?

Dr. Mackenzie: Thank you. There are many ways to answer that question. I will just start with the most common complain that we get is one of distress, fear and anxiety and I know this personally with my own dogs. Secondly, we see physical injury to animals as they try to escape the area. So if there is firework overhead in the neighbourhood, for example. I have injuries, probably most commonly, of being hit by a car as they run out of their yards. Dogs have jumped eight-foot fences just out of fear alone and dogs, by nature of fright or flight, they try to survive. I have had dogs that have jumped through glass windows and been severely injured or have even died as a result of their injuries. Cats that run away, escape, again in a dog's mind or a cat's mind evading something like firework explosions, loud noises, it is just for survival so there is no reasoning to what they do when they try to escape.

I think overwhelmingly the biggest complaint or report that we get is of fear and anxiety. There are a number of firework related injuries, to answer the last part of your question, that are malicious. We have seen evidence physically in the practice and people sending photos of cats, for example, that would have had firecrackers strapped to their heads or legs and similarly dogs, iguanas, birds and that deals with an entirely different level of neglect I think. It is absurd to what people in society can do. That is another side to it. But yes we do have a number of reports of purposely malicious injury, cruelty to animals, but in general if you are taking a neighbourhood, for example, and there are fireworks on New Year's Eve the injuries are vast and everything, from just fear and anxiety to broken limbs.

Ms. Newallo-Hosein: What would you recommend to a pet owner to minimize these injuries during a holiday period, such as, New Year's and you have fireworks. What recommendations would you make to mitigate against such injuries?

Dr. Mackenzie: It is a good question, hotly debated topic. Sedation is always a last resort for us because you need to make sure the pet is healthy before they undergo sedation. Our tranquilizers are, there is no happy medium. There are companies that have tried all natural tranquilizers which we have found not worked very well in the midst of these severe explosions that are obviously very loud. The medical tranquilization that the vets undertake will put a dog or a cat out for a number of hours and it is dangerous. It is not something we take lightly or we recommend.

So, even from my own personal experience, staying at home with your animals is probably the best way to keep them calm and there are certain devices that have been developed to help these animals cope with things like this. Dogs have an extremely advanced hearing as well as many of the other senses, smell and so on. So fireworks to a dog is many, many, many, times more severe in its effect than it is to a human being. Dogs also hear at a much broader frequency than humans do. So they can pick up on many different frequencies of sounds.

Ms. Newallo-Hosein: Doctor, are you aware of what is done in other countries, such as the US, who would have such festivities such as ourselves. What do they practice? What do their veterinarian association practise or enforce?

Dr. Mackenzie: Thank you. Similar, many of the—there are companies that have made, we call them “safety jackets or blankets,” so you can actually put a jacket on your pet which gives it the impression that it is being held or comforted. Generally what it boils down to with many of our clients and my colleagues abroad, especially in the US, people stay home. They do not go to these

festivities because their pets are very high up on the list of priorities and they cannot bear to leave them home. I personally have a Yorkshire terrier, I cannot leave my home during fireworks. Her body temperature escalates to a very dangerous level because she shakes uncontrollably for hours and I am lucky it is only one of my three that has it this severe. But it is a very, very, common problem. Sedatives are always the last resort, but sometimes they are necessary.

Mr. Chairman: Could I have a brief follow-up for clarification? I am looking at the term abuse of an animal under section 79 of the Summary Offences Act. And under normal conditions I would think that if you starve an animal, if you beat an animal, if you were to do anything like that, but exposing the animal like your terrier, for example, to a loud noise, would you say that is a severe abuse to the animal and under this particular Act, it could be considered similar to maybe starving the animal for three days?

Dr. Mackenzie: I certainly think it is a form of abuse, yes.

Mr. Chairman: A form. Is it a major abuse or a minor abuse?

Dr. Mackenzie: It is a major abuse.

Mr. Chairman: Major abuse. Thank you very much. A follow-up question from Brig. Ancil Antoine.

Brig. Gen. Antoine: To the Veterinary Association. Is there is a distinction between official fireworks? I mean independence night at the Queen's Park Savannah, when you pass by Clico and so, in Arima and in San Fernando. Is there a distinction between that type of firework and the firework that occur in communities spontaneously between Divali, say, and New Year's Day? The complaints that you are getting from the population, is there a distinction between them?

Dr. Mackenzie: Yes, I think the fireworks that are deployed in neighbourhoods tend to be the ones that affect the animals more, simply because, take for example the Queen's Park Savannah, there are no houses directly on the Queen's Park Savannah, so the loud boom and the bang, the dogs would pick this up similar to a thunderstorm, for example. Again, their sense of hearing is much more advanced than ours. But if you are in your house and anywhere in Trinidad where there is a neighbourhood there is going to be fireworks. Those firecrackers, scratch bombs, fireworks that are deployed are much, much, louder and tend to have a much more severe effect on the pets, yes. And also the main reason for that too is that the pet population or the density of the pet population is obviously within the neighbourhood and that tends to be the most popular place that these fireworks are deployed. Therefore that is where we see the incidents of injuries

and anxiety and so on.

Mr. Forde: My question is directed to the EMA. We received a correspondence from your Managing Director and in the third paragraph it states:

We wish to underscore that the regulation and management of fireworks is not within the remit of the EMA. It is our firm belief that there are other competent entities that are responsible for the regulation of fireworks, particularly as it relates to the adverse health effects.

I have no problem with that. And it goes on to say:

In fact, in the past the EMA has used its discretion under the Environmental Management Act, Chap. 35:05, to regulate the noise emitted from fireworks through the Noise Pollution Control Rules.

And that is quoting from the Managing Director, Mr. Hayden Romano. My question to you, Ms. Badri Maharaj is, what does it hold for the future with regard to the EMA?

We have heard the different discourse from the Veterinary Association, from Ms. Patricia Green, the Animal Welfare Network and the noise levels, the extent that Dr. Mackenzie spoke about, thunderstorm and the different references. EMA deals with noise pollution, they have nothing to do with the health effects that goes with regard to the animals. What does the future hold for us, that we can look forward to, that the EMA is saying, listen we are going to do some research, we are going to get the statistic, we are going to get the empirical evidence in order to say, well look. What can we expect to get from the EMA for the future with regard to the noise pollution that emanates from fireworks?

11.10a.m.

Ms. Badri Maharaj: A couple questions there. We are saying through the Noise Pollution Control Rules there is a process to treat with noise pollution. The variations are what we utilize. It is a deviation from what is the regular, or what is the ordinary sound pressure level in three areas. It is the general area—we have three areas: environmentally sensitive area and an industrial area. We are currently looking at amending the Noise Pollution Control Rules to treat with various sources of sound. We are looking at all the comments that have been coming in. We have drafted these rules since 2001. Indeed, any comments that we receive we will be trying to incorporate if that is feasible. But we have done a study looking at the enforcement process when it comes to the use and regulation of fireworks.

The legislation is there to regulate fireworks: the Summary Offences Act; the Explosives Act and you have the Police Service Act. We are convinced that there is existing legislation to treat with fireworks. When the EMA comes in, I think where we can assist would be with respect to the research, treating with the decibel level and perhaps we can, indeed, if fireworks, if it is a state where the EMA needs to intervene, we can look at amending to include fireworks in the Noise Pollution Control Rules. But we are saying at this stage, there is legislation treating with the enforcement of—looking to enforce fireworks in Trinidad and Tobago. What is happening is, we do not have enforcement.

Mr. Forde: No, but the aspect towards the future, coming out of it, noise pollution, humans, fine, but we are talking about animals today in terms of what are we expecting from you all within the future. Could we expect to say that research will be done; you all are going to look into it? I think that is what I am trying to get from you in terms of going forward. Because, again, we could meet today; we hear all the different concerns, all the complaints with regard to what is happening with animals, but we need to know, well, look, EMA has a role to play with noise. Not only noise from—noise far and wide as we can go. And we are saying that today the noise level from fireworks affects animals to the extent that an animal will jump an eight-foot fence. We heard that. That is information we heard today. What can we expect from you all? I think that is what I want to hear, what we can expect from you all. Because your GM has quoted some information here which, Mr. Chairman, is it incriminating? You know what I mean? He is the EMA Manager and, you know, this is what you are telling us. And you are here today and Mr. Romano is not here today, so hence the reason we have to pose the question to you in order to know, well, look, what can we expect for the future from the EMA to assist us in ensuring that the noise pollution that is affecting animals, we can look forward to some sort of legislation, recommendation to Parliament, to your Ministry, so that they can then bring forward in order for us to make a decision. Hence the reason why we are having—this is a very important session we are having here. Right? The fireworks, we have received numerous complaints from far and wide in Trinidad and Tobago and we need to get some sort of information.

Ms. Badri Maharaj: Vice-Chairman, we do have a strategy and research unit. Coming out of today's session and today's Committee hearing, I think this is what I can say to you. I can take back to my board and the managing director the fact that perhaps research needs to be done. It is not on our current work plan or strategic plan at this point in time, but I can take it back to the

board and to the managing director and, you know, perhaps suggest that we do need some research on fireworks and the decibel levels and sound levels associated with fireworks.

Mr. Chairman: Thank you very much, Ms. Maharaj. Can I ask Mrs. Newallo-Hosein for a follow-up and then—*[Interruption]* Okay, very well.

Mr. Sinanan: Thank you, Chair. Chair, I just am a bit concerned because I am listening to the EMA and I am not getting the sense of importance of the harm that the fireworks is causing to the animal population. This is something that has been going on for years. I am sure over the last 15 years we have been plagued with this problem and to hear today that the EMA is now, after this conversation, going to look at methods, it really does not give much hope going forward. I am also a little bit disappointed to hear the Ministry of Agriculture, Land and Fisheries is not too sure whether the protection of animals falls under their remit.

As an animal lover, I do love my pets and I, too, had an instance where—I mind horses and I saw a horse, after someone pelt a fire cracker, and the horse jumped an eight-foot fence and ran from Manzanilla to Mayaro on the roadway, which could have been a hazard for any vehicle coming on the road. But I am still not too comfortable that as a society we understand and we care about animals the way we should. I am wondering—if I could pose this question to EMA, Veterinary, Ministry of Agriculture, Land and Fisheries, everybody in the panel, if the time is not right that we should have a department of the police force that is dedicated to the cruelty to animals, just as we have the praedial larceny squad and things like that. Because if you cannot treat the animals in the society—your pets—in a certain way, it does not say much for the society. And I think, probably—I do not know—you could advise me if the time is not right now that we get a lot more serious about how we treat our pets. Who could answer that question?

Dr. Mackenzie: Thank you for the question, and I am sorry to hear about the incident with the horse. I am pleased to hear of your opinion. If we look at other countries, US and the UK, for example, the laws which protect animals are almost aligned with human beings and their penalties are very, very strict and very severe, hence the reason there are fewer and fewer animal cruelty cases in US, for example. And there is an entire body of the police force dedicated—we call them animal cops—to enforcing these laws. I have a number of personal police friends that have assisted me, personally and many other vets in Trinidad and Tobago, in cases of cruelty, where we visit the premises and try to uphold this charge and at least have some sort of scare tactic to the owner in the face of what is very obvious cruelty.

I think the time is most certainly now. In fact, the time has gone and we need to act on it now, because it is only going to get worse if we do not enforce either new laws or existing laws to help protect these animals, because the population is increasing, therefore the incidents of cruelty is increasing and it is not going to get any better unless we act. So I appreciate your opinion. Thank you.

I think moving forward, just to answer a couple of the questions that were thrown out, I think the major problem lies with the indiscriminate use of fireworks. So, again, going back to the US and the UK which we will obviously look towards to see how they govern these situations, you have to have permits to buy or use fireworks. They have designated times, on the 4th of July, for example; times and locations where fireworks can be used. I am not, as the TTVA, proposing or as the Veterinary body, proposing a ban on fireworks. We just have to have regulated use of fireworks. So that at 10 o'clock in the morning when, to me, fireworks are no joy but certainly fire crackers are for kids and others—they want to hear the loud noise and see the explosion. That indiscriminate use is absurd and we cannot have people living in fear, and animals living in fear, because these things are going to be thrown and set off at any point in time. If you designate the holiday days, the festive days and so on, I think it is maybe not feasible to take away fireworks from people on these days, you know. We would need to govern the use of them. It is the indiscriminate use that causes the problem.

Mr. Sinanan: Just to follow up there. So do you agree that the time is right for a designated section of the police service just for the cruelty to animals in Trinidad and Tobago?

Dr. Mackenzie: I think it is overdue. Yes, I completely agree.

Mrs. Newallo-Hosein: Chair, just to ask—

Mr. Chairman: A follow-up, before we move on to Sen. Lewis.

Mrs. Newallo-Hosein: A follow-up, yes. Because Dr. Mackenzie is stating that—looking at gathering information, but I saw that Chairman Green had indicated in her submission that AWN had gathered information on the approach and methodology used by other countries. Perhaps you can indicate to the Committee what are the other jurisdictions and approaches that were examined with reference to regulations in the use of fireworks.

Ms. Green: Thank you, Mrs. Newallo-Hosein. Yes, we have been looking into this because we fully support what Dr. Mackenzie said on behalf of the Veterinarian Association. This country, unfortunately, does not have up-to-date legislation in line with that available in metropolitan

countries, and we, as an organization, have been looking into it. We have the support of the TTSPCA and other organizations who all feel that the law should be updated. If I may, I would like my colleague, Mrs. Kuruvilla, to speak a little more on this, if you would permit that, because she has looked, and she has been working on that for our committee. Thank you, Chair.

Mr. Chairman: Please do, Ms. Kuruvilla.

Ms. Kuruvilla: Thank you, Chair. I just would like to make one preliminary point. Animal Welfare Network and a lot of the NGOs tend to deal with animals that are either unwanted or people do not care enough about them to take them to a vet clinic. So the situations that we often deal with are far worse and more tragic. There is a large spike in animal ownership and I think the Vets will see a lot of people who really take good care of their animals and take them to the vets, and so on. We see lots of cases of animals that live in a state of neglect in the country. You know, people often want dogs and so on, for protection, and there is limited care given to these animals. So in the event of situations like fireworks where you do not even have a basic level of responsible ownership, there are tragic consequences, and we have seen it a lot in the animal shelters. In fact, we end up taking on the burden of cost for caring for a lot of these animals that end up missing and lost, and so on and never reclaimed. So I think that the situation is really very bad and over the last 10 years or so we have taken on the burden of cost for caring for a lot of these animals that have been lost or injured during fireworks.

We have looked at some of the recommendations like from the RSPCA, one of the bodies that is widely recognized for its standards in animal welfare, and if you look at the recommendations with regard, let us say to the UK, they have already limited fireworks use to just specific holiday periods—well, not periods, actual days. So in the UK the legislation may allow for fireworks only on certain traditional holidays. They have a decibel level that is currently specified in the UK legislation of 120 decibels, which is apparently equivalent to a jet aircraft taking off.

The RSPCA has recommended a reduction in the decibel levels for fireworks and also a lot more control of the use of the fireworks at these special events, including proper prior notification to communities, a pretty stringent time limit during which fireworks can be set off. And all of these controls allow people to make provisions for their animals for a specific period of time.

Mr. Chairman: Thank you very much. And before I move on to Sen. Lewis, a follow-up question

to you, Ms. Kuruvilla. Do you think, then, that one of the policy recommendations we can make is that there be restrictions, according to the vet Association as well—there are restrictions on the time during which the fireworks are exploded so that pet owners will be given adequate warning to take the types of action which may be necessary to minimize any injury to their pets?

Ms. Kuruvilla: Certainly, we would like to see restrictions on the time period. We would also really like to see a move away from just the general sale of fireworks to the public. Because, I mean, we just do not think it is realistic to expect the public to exercise the relevant controls.

Mr. Chairman: Thank you very much. Sen. Ayana Lewis.

Miss Lewis: Thank you. My question is directed to EMA. Based on your response I saw that when we asked how many complaints has the authority received concerning noise and chemicals emitted from fireworks, and within three years, between 2014 to 2017 I notice only five persons complained. Do you think that the public is aware of the process of lodging a complaint with EMA? Because, I think based on the feedback we are getting here today that five persons complaining is not really reflective of what is happening in the country. So can you take us through the process in which someone could lodge a complaint through EMA?

Ms. Badri Maharaj: We have a hotline set up for lodging complaints at the EMA. There is an Emergency Response and Investigations Unit. We do receive complaints. Five complaints—these are the ones we have formally recorded. Now, the ERI unit was established three years ago. So what I can tell you is, these are the formal records that we have received from the ERI unit. You can call the hotline. The number is on the website. We receive the complaint. If we can attend to the complaint immediately we send out our officers. If it is something, we have an EPU, an Environmental Police Unit. There are four shifts.

Now, with respect to noise, what happens is—you know, the impact of noise and fireworks, for example, it is only through the variation process that we are alerted to an event where fireworks might be utilized. So we would not know in advance when, for example, fireworks would be utilized during an event. We are going through the process of the—

So once we receive the complaint, we can investigate and sometimes our EPU, we can stop an event if you are in breach of the noise rules, or if, for example, you find that there is a breach of the Summary Offences Act, because the EPU are staffed by SRPs—special reserve officers—who also have police powers to stop events.

Miss Lewis: All right. Just one question. What constitutes a formal complaint? You said five

persons were formal complaints.

Ms. Badri Maharaj: A formal complaint would have been one where you would have provided your name, location, address, et cetera.

Mr. Chairman: Thank you. And to follow up, Sen. Ayana Lewis made a very valuable point, and I would just like to follow up with respect to—and also following up on Minister Sinanan’s position with respect to policing. The EMA has a police unit, you said made up of SRPs, and I was just wondering whether, as part of your future planning—planning for the future, as MP Esmond Forde said—that it is the EMA police force which should then be responsible, if it is expanded and well-trained, to have as part of its responsibility the enforcement of section 79 under the Cruelty to Animals Act. You see, I raise that because since the Veterinary Association has said that the noise that animals are subjected to constitutes cruel and unusual punishment, maybe even torture, that I would like to get your views on expanding the EMA police force so that they would then be responsible for enforcing sections 78 and 79 of the Summary Offences Act.

Ms. Badri Maharaj: Chairman, the current resources we have at the EMA, the police unit, it is not a huge number of police officers. We had requested a larger number, but I think because of, you know, budgetary constraints et cetera, we were not able to expand that unit. With respect to the noise rules, we would have to amend the noise rules to include— currently, the term “fireworks” is nowhere in the Noise Pollution Control Rules. So there is a big gap in the legislation, and the discussion at this Committee level, we are not unwilling to assist with respect to fireworks. Where we do have applications for fireworks, the variation process is a very good process but it is only where somebody applies for a variation—we can refuse a variation. We can tell you, you are not to have fireworks. And we have done this in the past, where we were alerted to fireworks display at an event. This was somewhere in San Fernando. Our Environmental Police Unit, they had gone out and the person had not applied for a variation and we had stopped that fireworks display from happening at all.

Mr. Chairman: Right. And therefore, if I were to get you correctly, there are some problems with the legislation which could be tightened to give you powers, unequivocally, to deal with fireworks and that once drafted, the Parliament simply has to approve those rules. Is that the case?

Ms. Badri Maharaj: That can indeed happen, Chairman, but I think the AG’s office would also need to get involved because we do have stronger, more powerful legislation like the Summary Offences Act and the Explosives Act.

Mr. Chairman: But we really would like to get the EMA more involved. You see, the Environmental Management Authority is an authority that is charged with ensuring that there is sustainable development in Trinidad and Tobago, and now we are realizing there is a law against cruelty to animals as opposed to cruelty to people. There is a law. There is a punishment, two months of jail. Not many people were aware of this before. But the EMA is responsible with respect to noise pollution, and insofar as noise pollution is causing a tremendous amount of harm to the pet population, I think it is now critical that we not lean on other legislations but to empower the EMA to take action on this environmental pollution. Do you agree or do you not agree?

Ms. Badri Maharaj: Indeed, Chairman, I cannot say that I disagree with that. Our noise rules, if I may say, it is the most modern piece of legislation, and whereas the other pieces of legislation may fall behind, we are willing, once we do get to the point where we have the research and the information.

Mr. Chairman: Okay. Minister, a follow-up.

Mr. Sinanan: I just want to clarify, because I am hearing the EMA talking about legislation to include fireworks and so. Is it not that the EMA deals with noise pollution no matter what the source or wherever that sound comes from? Is it not that the EMA deals with noise pollution; part of their remit is noise pollution?

Ms. Badri Maharaj: It is static noise, not mobile sources. The legislation does not allow us to deal with mobile sources of sound.

Mr. Sinanan: Okay. If someone takes a music system, puts it into a location and starts to, as we say, blast the music loud, EMA cannot deal with that?

Ms. Badri Maharaj: Yes, we do deal with bars, for example, who emit—

Mr. Sinanan: So what is the difference with somebody taking a heap of fireworks, putting it somewhere and then igniting it and sending out a loud sound?

Ms. Badri Maharaj: There is a difficulty there. We would not be present. How do you measure? The way we enforce our legislation is through measurement. So you would need to be alerted to the fact—

Mr. Sinanan: But could not the EMA, when someone applies for a licence to bring in fireworks—could not the EMA then liaise with the Ministry or the authority that approves that licence to say, look—because you can measure the noise emittance from the size of a canister of fireworks, because of the amount of gunpowder or whatever is in there. And could not the EMA say, “We

are not going to allow this level to enter the country”, and that way you could control the level of the noise from the fireworks that is entering the country? Could not the EMA then, be proactive and say, “Look”—you take some of the fireworks; you go out and you get the noise level and say, “We are not going to allow this size of fireworks, this size of fireworks and this size of fireworks into the country.” So that will give you less policing going forward. Because it is like—okay, like a bullet. You have different calibres. You have a 382, a 9 mm, and the sound that they emit is different, depending on the size of the ammunition. It is the same thing with fireworks. The bigger the canister the louder the noise.

Ms. Badri Maharaj: We would be willing to assist in that regard.

Mr. Sinanan: You see, because noise pollution, the EMA has to be proactive. You cannot just sit and wait until you get a—because nobody is going to complain on their neighbour. I have a neighbour, or probably if I do it my neighbour would love to complain on me, but he feels by tomorrow, if he has to give his name and his address and everything, somebody in the EMA will know, “Ay, is your neighbour report yuh.” So we tend to just accept that and just hope that everything will just pass. The EMA knows fully well that, look, in this residential area, on so and so night, the festive season, everybody is sending up fireworks, and is outside the level that is acceptable.

Mr. Chairman: Okay. And could I intervene here. Is there anything in the EMA Act which prevents you to do what Minister Sinanan says you ought to be doing, that is, at source, indicating that these items should not be used within Trinidad and Tobago for X, Y, Z reasons? Is there anything in the EMA Act which prevents you from doing that?

Ms. Badri Maharaj: Chairman, could you clarify?

Mr. Chairman: Yeah, okay. Minister Sinanan said that you could, at the point of the importation of the fireworks, have undertaken a study to indicate that, okay, we need a sample of what is imported. We have already done the research. We know that this particular size will have a decibel level which is injurious to health in general and that we are therefore recommending to the Customs, to the Fire Service, to the Ministry of National Security, that because of injury to the environment, we will recommend that no licence be given to import this particular device. Is there anything in the EMA Act which prevents you from doing that?

Ms. Badri Maharaj: It prevents us from taking enforcement action.

Mr. Chairman: Well, from making a recommendation to the Ministry of National Security that

“based upon our research—scientific research—what you are importing is injurious to health and welfare of the population of Trinidad and Tobago, and therefore we recommended that they not be imported within the Republic.”

Ms. Badri Maharaj: Chairman, there is nothing preventing us from making such recommendations. We would obviously have to do the research to say, you know, this is injurious to public health; this is injurious to animals, et cetera.

Mr. Chairman: Okay, very well. A follow-up. And I imagine you have technical officers with you from the EMA?

Ms. Badri Maharaj: We do.

Mr. Chairman: Chemists and so on. Right. I will mention a few chemicals and I need to get from the technical officers whether these chemicals can cause harm or whether they are benign: Arsenic; manganese; Sodium Oxalate; Aluminium; Iron Dust Powder; Potassium Perchlorate, Strontium Nitrate, Barium Nitrate; Oxidizers. Are these chemicals injurious to human health?

Ms. Badri Maharaj: I am going to pass that question to Mr. Rajkumar, Technical Services Manager.

Mr. Chairman: Thank you.

Mr. Rajkumar: Thank you, Chairman, for the question. In preparation for this meeting we did some preliminary research and some of those same chemicals that are mentioned are listed as toxic chemicals. So as we said, anything can be toxic. It just has to be in the right amounts. But certainly, these chemicals that are mentioned, some of them are toxic and can be potential carcinogens, et cetera. So these chemicals, which are released during the fallout from fireworks, has the potential to contaminate surface waters, contaminate the air quality and impact on human health and the environment.

Mr. Chairman: Thank you very much, because I note in the EMA Act itself, there is a definition under “release”:

“‘release’ includes any disposing, spilling, emitting, leaking, or other incidence of discharge into the environment of any hazardous substance or pollutant;”

So, clearly, the discharge of fireworks “releases”. It falls within your remit to test the air quality now. Not only the sound, but to test the air quality of the air post a fireworks display or discharge. Is it that the EMA will now test air quality? I can tell you, as a layperson, the air quality is seriously affected on Old Year’s night, at least in my neighbourhood, because the clouds are dark; it is

smoky and I know there are things there. I would just like to know whether the EMA is going to test air quality to advise the population that the inhaling of the air is going to be possibly injurious and therefore such an environment may not be healthy for you to be in, post an hour display of fireworks. Has it ever been done or are you contemplating doing it? [*Interruption*] And that is for the future, as MP Esmond Forde said.

11.40 a.m.

So first for animals and sound and abuse, and now we are looking at air quality because the chemicals, as I indicated, came from the research that we did with respect to the various types of chemicals which are released during a discharging of fireworks. Now as your officer said, it is based upon amounts, but in a neighbourhood where everyone is discharging this you could be sure a certain minimum threshold may be crossed and I would like to know if this is going to be part of the work programme of the EMA in the future and when?

Ms. Badri Maharaj: Chairman, this has not been done before, but what I can say is we do have equipment. We have purchased some equipment to test air quality. So at this stage, again, I can take it back to our Board and incorporate these issues into our work plan.

Mr. Chairman: Okay. And from the perspective of your technical officer who addressed us just now, those chemicals of which you are very well aware, if in fact infants, the elderly, anyone, including the pets are exposed to them, what can be the long-term effects? Is it that it can have effects similar to secondary cigarette smoke; or is it that we will be able from the research that you have done to neutralize them over time within our systems? Your technical officer.

Mr. Rajkumar: Thank you again, Chair, for the question. So again, based on available information, I guess similar sources where you have looked, there is an abundance of information and data in the public domain that you could come to the conclusion that at the end of a firework event, especially in neighbourhoods where the air quality is compromised, there are chemicals in the air that have the potential to cause harm to human health. From a local perspective, from a Trinidad and Tobago perspective, yes, you can do your own research to complement those findings.

The important thing for us moving forward is to ensure that the chemicals that are in those fireworks, to ensure that there is a redesign of the fireworks so that you do not have the negative chemical fallout when it is released. So moving in the direction of a redesign or design for the environment in terms of the kinds of fireworks we use in the future and more environment friendly

ones would be the more futuristic and more forward-thinking approach in terms of managing the issue with chemicals in fireworks.

Mr. Chairman: Thank you very much. You did not answer the question I posed though, and the question I posed was a straightforward one and that is: The chemicals which I mentioned in certain quantities, given a fireworks display, do you think that subjecting oneself to these chemicals can cause long-term harm; or is it that you need to do the research in Trinidad and Tobago to make a definitive statement on that?

Mr. Rajkumar: Well, I think the jury is already out on that. What I was saying in terms of getting that data for the local context in terms of the levels we will have to do that, but one can say with some level of confidence that those chemicals that are released, those same chemicals as you mentioned, will and can have a negative impact whether it be acute or a chronic effect on human health.

Mr. Chairman: Very well. Thank you very much. Mrs. Newallo-Hosein.

Mrs. Newallo-Hosein: Just a follow-up on that question—thank you, Chair—Mr. Rajkumar, and that is all the chemicals that were identified are in fact injurious to health, human or animals regardless, but I want to ask: is there a quantity that would impact in an adverse way? The reason why I am asking that because, I mean, to be healthy and to have cleanliness we use toothpaste, but toothpaste also has a chemical that is injurious to health and, as such, there are clear guidelines on it that it must not be swallowed and you must only use this amount. And so, I am asking the same in terms of these chemicals which, yes, we know, are injurious, but is there a quantity that can be maintained that will not cause the harm that would normally cause death or something like that? Is there a quantity that can be released in the atmosphere that will not be injurious at all?

Mr. Chairman: Yes, you may respond Technical Officer, Mr. Rajkumar.

Mr. Rajkumar: Thank you, Chair, and thank you member for the question. Yes, there are established threshold levels for these various chemicals released into the atmosphere, above which you would likely to expect negative impact on human health. So you first have to identify what those thresholds are and then you have to then do your research and the monitoring to establish what those levels are when they are released in the particular areas, and then compare the two to see whether or not the levels at the localized area is above those threshold values. If it is below, it may indicate more long term exposure. There are threshold levels but you will have to compare it with the local situation, the local values at that particular location to see if those thresholds have

been exceeded

Mr. Chairman: Thank you very much. May I ask MP Antoine and then you will come in MP Forde.

Brig. Gen. Antoine: I just want to follow-up on part of the discussion earlier, and it is to Dr. Mackenzie from the Veterinary Association in the absence of people from the other areas of the medical profession. We have established that the noise pollution by fireworks is virtually a case of cruelty to animals, but animals are not just pets. We are now seeing animals that are working alongside humans in terms of seeing-eye dogs, in terms of comfort animals for people with different types of disabilities as the case may be. Do you have instances where the effect on the pet or the animal who works with a human has had a bad effect on the human themselves in that it has become now cruelty to humans as well as cruelty to pets?

Dr. Mackenzie: Thank you for the question. Personally, I do not know of any incidence where a companion animal was used, for example, seeing-eye dog, or comfort animal for an ill person, has been subjected to something of this nature where it then affects the human as well, but I would imagine that those dogs are similarly affected as others. The dogs that tend to be used for companion use with seeing-eye dog, for example, are very highly trained as well, and you could train a dog to be desensitized to things like gunshots for example. So in a police canine service, they have desensitized their dogs to these noises, but it takes years and it takes a lot of work and obviously that does not pertain to the entire pet population. It is just not feasible. But to answer your question directly, I do not know of any—the service that you speak of is becoming more popular in Trinidad obviously.

I would imagine that those animals are similarly affected by things of this nature, and the spinoff on the human will be very similar because if your dog cannot work in that capacity which it was put there to do, then you have the effect on the human. I think that answers your question.

Mr. Chairman: Thank you. MP Forde.

Mr. Forde: Yes, also to the Veterinary Association. Now, as a result of the noise pollution from the fireworks it affects the animal. The instances of death are mainly related to the incidents related, or is it that exactly that death can occur as a result of the noise alone?

Dr. Mackenzie: Good question, and both actually. We have a number of cases where dogs have, we would not say mysteriously died, but the owner would call and say that their animal is in distress. If you have an animal that gets so anxious and in a state of panic, basically they can die

from many different reasons—seizures, heart failure—especially if they are older animals, or if they have underlying medical conditions—very similar to the way it would affect people. If certain people have anxiety disorders, for example, we would not go setting off fireworks in an elderly home or in a nursery with babies.

Remember, it is fundamental to note that animals have a very keen sense of hearing and the way they are affected by noises such as fireworks is very, very different to people. So their state of panic, anxiety, the harm that it does to them, not only sentry in terms of their hearing and so on, but the way their body functions is radical and it is very different to humans.

So we have had numerous deaths reported from just on the night of firework displays. In the neighbourhoods, for example, we get calls on the emergency service, at my practice, in particular, and I am sure many others. We also get calls the very next day that dogs and cats have passed away as a result. Otherwise healthy in the owners opinion, but on the night of fireworks they are in a corner, they are shaking and they end up passing away, and then certainly from injuries related to the escape as I said before.

Mr. Forde: One other question.

Mr. Chairman: Okay, but could I follow-up before you? Could we ask, through you, members of your association to start compiling data so that across Trinidad and Tobago we will get from all members of the vet association the reported injuries and cases that they have seen in their own practice so that you will be able to have a database in Trinidad and Tobago which will then inform policy?

Dr. Mackenzie: Yes. Thank you for that suggestion. We implemented this late last year. We do not have actual figures as yet. There are about 300 registered veterinarians in Trinidad; just over 40 practising clinics. Gathering the data is a challenge, but it is on the way and our Executive has put that out there that we want to know numbers and documented cases, photographs, as much evidence that we could get as it relates to firework related injuries.

Mr. Forde: Actually that was one of the follow-up questions.

Mr. Chairman: Sorry, I stole your follow-up.

Mr. Forde: No problem. Once we get it for the records. But the other point is: are you all able to identify the decibel level that can affect the animals?

Dr. Mackenzie: There is a lot of research that has been done in dogs, in particular, as to what level and beyond, irritates an animal, or causes harm to an animal. Yes, that is very well

documented. There are numerous papers, even books on it.

Mr. Forde: Mr. Chairman, I think—and I am following up from there—again the vet association, and also the animals network, in terms of compiling their information and forwarding it to the relevant authorities like the EMA, the Ministry of Agriculture, Land and Fisheries, the Ministry of Health, in terms of statistics. So again, that can cause them now to have their evidence in order to form policies and procedures as we go forward.

Mr. Chairman: Before Sen. Lewis, a question to the EMA and that is: have you had any liaison interaction with the Animal Welfare Network, and Veterinary Association, and the Ministry of Agriculture, Land and Fisheries on this problem or is it the first time that as a group you are meeting these bodies?

Ms. Badri Maharaj: This is the first time I am in fact meeting these bodies. I can say that in my capacity as the GM, Legal, Enforcement and Compliance.

Mr. Chairman: Very well. Thank you very much. Ms. Lewis?

Ms. Lewis: Actually, Chair, that was part of my question.

Mr. Chairman: Again, I apologize.

Ms. Lewis: So based on what the Chairman would have stated, I want to find out if you guys would collaborate and educate in the sense that a lot of young persons they do interact with the explosives, the fireworks and stuff? Would there be a collaboration? Would you consider collaboration in terms of everyone represented here to educate the population especially the young persons in every aspect that you represent today, like how it affects animals, the noise pollution and all of that; and did the Ministry of Agriculture, Land and Fisheries represented here, to at least look back at what your mandate is in terms of dealing with noise pollution or animal cruelty and all that stuff? So, I just want to ask: Would you consider collaboration going forward from today?

Mr. Chairman: Excellent question, yes. It is surprising that you have not collaborated before.

Ms. Lewis: Collaboration and education.

Mr. Chairman: And collaboration can simply take the form of email now you know.

Ms. Badri Maharaj: I would like to say, Ms. Lewis, that is a very good idea. One of the mandates of the EMA is to coordinate and we have a coordinating committee. So I would take on board that suggestion and we would move very quickly with incorporating that in our work plans.

Mr. Chairman: Thank you very much, and again—

Ms. Lewis: I want to get feedback from the Animal Welfare Network.

Mr. Chairman: All right.

Ms. Green: Thank you, Chairman. We would be very happy to collaborate with the EMA and the other associations because we have over the last 15 years made it our business to try and educate people—I would not say the proper use of fireworks—but what to do to protect their pets when fireworks are being let off, what to do if they get lost, what to do if they find somebody else's pet. Education of the public is being our main theme on this. So we would be happy to join in.

Mr. Chairman: Thank you very much. Before I come to the Ministry of Agriculture, Land and Fisheries because I want to pose this question now to the EMA and the Ministry of Agriculture, Land and Fisheries and that is, that the EMA Act is very clear with respect to providing advice and to sensitize the population including state agencies on all matters pertaining to the environment and protecting the environment. The Act is very clear on that and I would like to get from the representative, Ms. Badri Maharaj of the EMA and from the Permanent Secretary of the Ministry of Agriculture, Land and Fisheries, whether you now see a role for the EMA to examine the adverse effects in all its dimensions of all the explosives devices, whether we call them fireworks, scratch bombs or not, they are explosive devices? And after the proper research, will then communicate with the Ministry of Agriculture, Land and Fisheries, which in my mind has the responsibility to enforce the law against cruelty to animals so that when the time comes for the granting of a license to import fireworks by the Ministry of National Security—that is the Ministry which grants licenses—you would have collaborated between EMA and the Ministry of Agriculture, Land and Fisheries to indicate to the Permanent Secretary, Minister in the Ministry of National Security, that these devices from the agencies that you control and the law under which you operate are really devices which should not be imported. Do you see a merit now in influencing the licensing process given your advisory capacity EMA, and given Ministry of Agriculture, Land and Fisheries your responsibility for the welfare of animals. Both responses.

Ms. Badri Maharaj: Chairman, I would not disagree with your recommendation. Indeed, we have always been willing to take advice. I think the problem always arises with coordination and I do wish that the approach that we have taken here is something that we can apply with respect to legislation as a whole, because what we are getting here is information that is critical to also amending and updating legislation.

Indeed, the EMA is always willing to help. In terms of initiating the collaboration, I think

the EMA can indeed take the initiative and we can assist from the source which you say is the Ministry of Trade and Industry. We are willing to assist—

Mr. Chairman: It is the Ministry of National Security.

Ms. Badri Maharaj: The Ministry of National Security, sorry—wherever that requirement is, where we are needed.

Mr. Chairman: And therefore, we take it that there is going to be from your angle in the EMA and from the Ministry of Agriculture, Land and Fisheries, a review of the existing legislation governing the EMA so that the Attorney General's Office will be so guided when it comes to amending whatever noise pollution Rules you may need amending to ensure that you have a greater effectiveness in discharging your functions.

Ms. Badri Maharaj: As I have mentioned already, Chairman, we are looking at amending the noise pollution Rules. We will make these recommendations. We do forward it to the Attorney General's Office for promulgation. So we will take that forward.

Mr. Chairman: Yes, thank you. And a response from the Ministry of Agriculture, Land and Fisheries, since Ministry of Agriculture, Land and Fisheries I know that you do have to liaise with the Veterinary Associations. The Summary Offences Act is very clear that the welfare of animals is an act in Trinidad and Tobago. We may not have been enforcing it in the past, but do we get the commitment from the Ministry of Agriculture, Land and Fisheries that with closer collaboration with the Veterinary Association, the Animal Welfare Network Work, and the EMA, you will be able to do a bit more to enforce the law with respect to cruelty to animals?

Mr. Mc Kellar: Thank you, Chair. I think you just reiterated a point that you made earlier during the discussion as it pertains to the remit of the Ministry under the Summary Offences Act, as it relates to cruelty to animals. Certainly and you had asked initially that the Ministry submit its written comments?

Mr. Chairman: Yes.

Mr. Mc Kellar: Vis-à-vis, its role in enforcing the Act and that we shall be, will definitely take a look at it and make the submission. But again, based on all the comments that we have heard this morning, particularly from the Veterinary Association and the number of reports it has received from citizens, and across its members regarding the injuries to animals and the ill effects, I might want to add that in the Ministry's submission to the Committee we did note that when we conducted our own internal investigations, we had not received any reports from what I would

consider our primary stakeholders—farmers, livestock owners, even citizens—reports of the ill effects or any effects of fireworks on animals. But I have heard that those comments may have been going elsewhere and there is certainly a responsibility to the Ministry to consult more widely and that we shall.

Mr. Chairman: Thank you very much. It is 12.02 p.m., one final question from the Chair, then I will ask Committee members. But one final question from the Chair and I want to get the responses from the witnesses, and again I want to quote from the Summary Offences Act, section 100. It has nothing to do with the Ministry of Agriculture, Land and Fisheries at this time. This is section 100 and it refers to a position raised by Dr. Mackenzie from the vet association prior. It says:

“Any person who throws, casts, sets fire to, or lets off any fireworks into, in, or upon any street not being in any town, or into, in, or upon any place being within sixty feet of the centre of any such street, is liable to a fine of four hundred dollars...”

What I want to pose to the Veterinary Association, to the Animals Welfare Network is this—first to the veterinary specialist—since it was indicated that the firework display at the Queen’s Park Savannah is not as injurious as a device that is exploded in a neighbour’s property for a pet, do you think that if this 60 feet distance were to be increased to say 120 feet, so many homes which are the standard of 5,000 square feet will not be allowed to explode the devices will go some way towards ensuring that fireworks are exploded closer to public places like recreation grounds as opposed to residences? A simple amending of this law from the 60 feet—which is in the Summary Offences Act—to 120 feet will then solve a lot of the problems with respect to the proximity of this noise to animals. Vet association, then EMA.

Dr. Mackenzie: Thank you, Chair. I think the distance criteria where that law was originally formulated had to do with the actual physical injury to the animals. So if you observe 60 feet, 120 feet, or 5,000 square feet, the noise of a firework exposure on directly above my house, or above the neighbour’s house is going to be the same trauma to the animal. In my opinion, from a veterinary standpoint, a medical standpoint, I think just like we could mirror laws in the US, in the UK, fireworks, there is no ideal solution to please everyone, but we have to get somewhere and we have to go somewhere. I think fireworks should not be allowed to be deployed in residential neighbourhoods.

Mr. Chairman: Excellent.

Dr. Mackenzie: This is my answer.

Mr. Chairman: Yes.

Dr. Mackenzie: Thank you.

Mr. Chairman: The EMA, do you have a position on that 60 feet because you see looking at the law there are something call low-hanging fruit. If in fact the majority of homes are 60 feet by 100, that makes a 5,000 square feet, and you are not permitted to explode any device within 120 feet of a road, it means de facto. In the standard lot size we have in Trinidad and Tobago no residents shall be able to explode one of these devices, do you think such a simple change of the law from 60 to 110/120 feet will perhaps minimize the damage by may be 75 per cent?

Ms. Badri Maharaj: Chairman, I can speak as a lawyer. That is my profession. Perhaps if you do increase the distance, it may alleviate to some extent the damage, the injury, the impact, but I think we should also be looking at the fine as well and this is something that needs to be done. I am going to concur with Dr. Mackenzie and perhaps agree that fireworks in residential areas should perhaps not happen at all.

Mr. Chairman: Before we go into the animal welfare we need to engage the EMA again for advisory, because according to the Explosives Act, it says that there are certain towns in which fireworks will not be permitted but the Minister may decree any area a town in addition to the three major towns—I think Port of Spain, San Fernando and Arima—do you think the EMA can then indicate to the Minister of National Security that residential areas can be decreed as towns since it is within the Ministry's power to decree any area in Trinidad and Tobago in addition to the three aforementioned areas as towns?

So that in addition to the fine, the 120 feet distance, you can then advise the Minister that there are certain areas which should now be decree towns because you have a de facto advisory role. Do you not think that you need to be looking at all the residential areas and decreeing the towns as well; and recommending that the Minister look at them as towns?

Ms. Badri Maharaj: Chairman, indeed we can advise. The Ministry of Planning and Development as well—I think the Ministry of Planning and Development would need to be brought into this discussion because when it comes to zoning and declaration of these areas, the Ministry of Planning and Development would be the primary entity responsible for that kind of thing.

Mr. Chairman: Yes, very well.

Ms. Badri Maharaj: I am glad that you did bring up the Explosives Act because I think this is where we start with regulating the fireworks at source and this is very important. You know we speak to the Explosives Act, we talk about the Summary Offences Act. These are primary pieces of legislation. The noise pollution Rules is subsidiary legislation, so we do not have the strength at the EMA. These other Acts are more forceful and more effective. So we would be willing to lend assistance to any amendments that would occur in the near future with respect to these pieces of legislation.

Mr. Chairman: Thank you very much. Do you have a question? Yes, Animal Welfare Network.

Ms. Green: Thank you, Chairman. We concur thoroughly with the remarks made on behalf of the EMA and the Veterinary Association because we have spent a long time looking at this very piece of legislation, section 100 in particular, the Summary Offences Act. Obviously, I have to say I do not think a change from 60 feet to 120, given the strength of modern fireworks, will make a big difference.

A change in the fines might also be more useful because these fines, quite frankly, ludicrous, when you consider that a very small box of fireworks does I understand cost at least \$400, and we read in the media, or hear in the media I should say, of people spending many thousands of dollars on fireworks to celebrate New Year's, even birthday parties, weddings and so on. So \$400 is pocket change for the youngest child, I should think, you know. So, we do need to upgrade this law and I think that would be most effective. What I would also like to mention, because we understand would take time, is that we would like clarity from the police on their take on how these sections should be applied because that is what we have to work with until the law is changed.

12.10 p.m.

Mr. Chairman: Very well. But just one clarification. If your house is 100 feet away from the road and that is—the end of your property is 100 feet away from the road, and the law says you cannot discharge your fireworks unless you are 120 feet away from the road, do you not think that will prevent, de facto, a lot of people being able to even initiate an explosion of any devices?

Ms. Green: Thank you, Chairman. I think it might discourage, but knowing people's total respect for the law, probably discourage is the strongest word I could use in that context.

Mr. Chairman: Okay. So we have a distance and a fine. [*Crosstalk*]

Ms. Green: It is a very good idea.

Mr. Forde: They have to feel it in “dey pocket”.

Mr. Chairman: Yes. A distance and a fine. Yes. MP Forde.

Mr. Forde: To the Veterinary Association. There are soundless fireworks, silent. Again, it is in my mind so I need to ask the question: will it affect or create any difference with regard to the animals? Is it definitely on the sound or is there anything to do with the imagery of the fireworks?

Dr. Mackenzie: Thank you. It is a good question, and the main effect of the firework is the sound, is the decibel level because the dog’s sense of hearing is so acute. There is some effect from the light, but minimal compared to the sound. So they have also proven that deaf dogs, for example, are not nearly as badly affected and most of these dogs, if they are indoors on the night of fireworks, for example, New Year’s Eve and they are not seeing the explosion, but hearing it, are similarly affected. But a dog that has impaired hearing or is deaf, which we can test and prove, can be outside in a yard, for example, and not have nearly as severe of an affect and as based solely on noise. Yes.

Mr. Forde: One other question to the EMA.

Mr. Chairman: Okay. Last question.

Mr. Forde: Last question. In terms of noise variations, how many applications you all have received over a period of time? Applications.

Ms. Badri Maharaj: That information I do not have with me at this moment.

Mr. Forde: Okay.

Ms. Badri Maharaj: But we can send it to you.

Mr. Forde: So, Mr. Chairman, it could be provided to the Secretariat—

Mr. Chairman: Please, provide that in writing.

Mr. Forde:—in terms of the noise variations associated with fireworks.

Ms. Badri Maharaj: Can you tell me over what period?

Mr. Chairman: Five-year period.

Mr. Forde: Five-year period. Yeah. Thank you, Mr. Chairman.

Mr. Chairman: Thank you very much. And before I ask the representatives of the various organizations—do you have a question?—to give us brief closing remarks, let me just summarize what, so far, we have determined during today’s hearing.

First, it has been determined that it is against the law of Trinidad and Tobago, 78 and 79 sections of the Summary Offences Act 11:02, to initiate any action which will cause injury or

deemed to be cruel to animals, and the punishment is a paltry fine of \$400, but a large prison term of two months. So that I think the population should now be well aware that there is a law in Trinidad and Tobago. It is not as if our legislators in the past did not see this as an important problem.

Second, it is now determined that we need to identify the decibel levels of the fireworks displays and the various types of fireworks and scratch bombs and any explosive devices in Trinidad. We do not now have that information, we need for the EMA to undertake the scientific study to advise on that. We need to know what the pollutants are; what are the quantities released in a neighbourhood by a number of individuals discharging at the same time; and what are the potential implications for respiratory problems and other problems for the health and welfare of people. We need to look clearly into the regulation as the Veterinary Association has indicated, the Animal Welfare Network has indicated; the regulation of the use so that pet owners can be given advanced notice on when these devices are going to be exploded so that they can take the necessary precautions.

And we have determined that the EMA as an advisory body can liaise with the Ministry of Agriculture, Land and Fisheries, of course, taking information from the Animal Welfare Network and the Veterinary Association with respect to the granting of the licences to the importers of fireworks for what may or may not be permitted to be discharged in Trinidad and Tobago.

And I think we do need to look at the EMA having policing powers, given that the EMA has a policing arm, to work with the Ministry of Agriculture, Land and Fisheries. This is something that will have to be worked out administratively to work with the Ministry of Agriculture, Land and Fisheries so that sections 78 and 79 on “Cruelty to Animals” can, in fact, be enforced in Trinidad and Tobago. There are laws in Trinidad and Tobago, we simply seem not to have agencies of the State enforcing them. And given what I have summarized so far so that we can get some kind of bearing on what the hearing this morning, today, has in fact achieved, I would now, at 12.16 p.m., invite closing comments from our representatives and may I start with the Deputy Permanent Secretary Ministry of Agriculture, Land and Fisheries. I will ask Ms. Gayatri Badri Maharaj to come in second, Ms. Patricia Green of the Animal Welfare Network and the President of the Veterinary Association will have the last word. Thank you. Deputy Permanent Secretary.

Mr. Mc Kellar: Thank you, Chair. Certainly, the Ministry is pleased to have been given an opportunity to hear all of the many valuable and informative contributions today. A lot of it, as I

said earlier, is news to us because we had not, you know, previously been informed of some of the extent of the ill effects to animals caused by fireworks.

Again, we have heard the Committee's views regarding what the legislation, particularly the Summary Offences Act, says in terms of the legality of fireworks and its impact on animals and we, again, are committed to working with our partner agencies. Thanks.

Mr. Chairman: Thank you very much, Deputy Permanent Secretary. Ms. Maharaj.

Ms. Badri Maharaj: Thank you, Chairman. Thank you for inviting the EMA to be here. I think we too have been, you know, part of this discussion, it has been very informative. We will take back all of this information to the board, to the Managing Director and we are always willing to help, to assist and especially with the amendment to all the respective pieces of legislation, we will like to be a part of that process as well. So thank you.

Mr. Chairman: Thank you very much, EMA. Ms. Green, Animal Welfare Network.

Ms. Green: Thank you, Chairman. We are very glad, very grateful that we have had the opportunity of addressing this Committee. And on behalf our own association, our own network and the other animal welfare organizations in the country, we look forward to improvement in the general application of the law as it now stands, and in future an updating of the laws on animal cruelty as it relates to the use of fireworks as well, with general animal cruelty as well. Thank you for bringing the cruelty element to bear.

Mr. Chairman: Thank you very much. Dr. Mackenzie.

Dr. Mackenzie: Thank you, Chair. May I humbly request that Dr. Thomas just have a brief word before my short closing remarks?

Mr. Chairman: Sure. Please. Yeah. You can just share the microphone. Yeah.

Dr. Thomas: Thanks, Dr. Mackenzie. Thank you, Chair. I just wanted to add in terms of the distance for fireworks to be set off. Yes, the concern is that people will release them in residential areas, maybe at their homes, but then what I have observed too is that a lot of people carry their fireworks to the parks that are near to residential areas and set it off there, and it is very loud there as well. So even though it is not at their home, residential homes that are near to those parks are still, the animals in those homes are still going to be affected. So, we really have to, I guess, do the research in terms of the appropriate distance that it needs to be away from residential homes, not for those animals and people to be affected. That is one.

Two, I agree fully and I think the Veterinary Association would be in agreement as well in

terms of collaborating with the other agencies in terms of educating the public on the effects of fireworks affecting humans, as well as affecting animals. I think the place to start would be in terms of educating our youth. So, I “doh” know if we can maybe establish a programme or revisit the schools to start educating them, because it is the young people who are really interested in these fireworks and want to set it off and the competition between who has the bigger firework and who has the smaller firework and so forth like that. So if we could educate them in terms of the effects of the fireworks not only on people but on animals, then that is where we will start to see the change. Right?

Thirdly, the animal cruelty laws. I agree completely they need to be amended, the fines need to be increased, \$400 really is not going to stop anybody from doing anything, and then we need to educate people in terms of cruelty towards animals. So not only about mistreating your animal, not feeding your animal, not caring for your animal, but the idea that you will actually want to strap an explosive device to an animal. We have to deter people from doing those things.

Mr. Chairman: Very well. Thank you very much, Dr. Thomas. And Dr. Mackenzie.

Dr. Mackenzie: Thank you—

Mr. Chairman: Two last words from the Veterinary Association.

Dr. Mackenzie:—and the entire panel. Thank you, Chair, and the entire panel for hosting this today, definitely a step in the right direction. I am going to use a quote from one of my favourite leaders of all times, Mahatma Gandhi, who said:

The moral fibre of a society can be judged on the way its people treat their animals. So in an attempt to become First World we need to modernize our laws. Pets are now certainly members of our family so much more so than say 15 years ago, and we need to move with the times. This is a step in the right direction and we are very grateful for the opportunity to present and we are very willing to help all of the other organizations as much as we can. Thank you very much.

Mr. Chairman: Thank you very much, Dr. Mackenzie. And may I also reiterate the point, there is a law in Trinidad and Tobago, and I appeal to the Animal Welfare Network as well to inform the citizens of Trinidad and Tobago of section 79 of the Summary Offences Act. While we are waiting to change the law and increase the fines there is a law which says:

“Any person who cruelly beats, ill-treats, starves, over-drives, overrides, overloads, abuses, tortures, or otherwise maltreats any animal is liable to a fine of four hundred dollars or to

imprisonment for two months.’’

There is a law. I am sure many people were not aware of this before, but there is a law and so I will invite all the agencies to inform members of the public, that exploding a firework device close to a dog or a horse is torture to the animal and that can be subject to a two-month imprisonment. I think if we inform the population and we start enforcing the law as is, we can then look subsequently over a few months to amending the law, but really there is a law. The problem as I have found in Trinidad is that we do not enforce even the laws we currently have.

This brings us to the end of today’s session. I want to thank all the representatives who have been with us this morning. It has been an informative session. It has been one that, I think, has provided important information set for us, so that when we come to compile our report and we make our recommendations to Parliament we have a number of things to say. But I think we are all in agreement that the problem which has existed with fireworks is a problem which should be solved sooner rather than later, and I thank you on behalf of all members of the Committee for the information that you have imparted to us this morning.

Have a good day, a good afternoon and thank you once again for being here. We have now adjourned. And may I ask members of the Committee to stay for a while for one minute to address an issue. Thank you.

12.24p.m.: *Meeting adjourned.*

Appendix VII

EXCERPT OF VERBATIM NOTES OF THE NINETEENTH MEETING OF THE JOINT SELECT COMMITTEE ON SOCIAL SERVICES AND PUBLIC ADMINISTRATION, HELD IN THE A.N.R. ROBINSON MEETING ROOM (WEST), LEVEL 9, (IN CAMERA), AND THE J. HAMILTON MAURICE ROOM (MEZZANINE FLOOR) (IN PUBLIC), OFFICE OF THE PARLIAMENT, TOWER D, THE PORT OF SPAIN INTERNATIONAL WATERFRONT CENTRE, #1A WRIGHTSON ROAD, PORT OF SPAIN, ON FRIDAY, DECEMBER 15, 2017 AT 9.34 A.M.

PRESENT

Dr. Dhanayshar Mahabir	Chairman
Mr. Esmond Forde	Vice-Chairman
Brig. Gen. Ancil Antoine	Member
Mrs. Christine Newallo-Hosein	Member
Miss Khadijah Ameen	Member
Mr. Julien Ogilvie	Secretary
Miss Vahini Jainarine	Legal Officer
Miss Ashaki Alexis	Parliamentary Intern

ABSENT

Mrs. Glenda Jennings-Smith	Member [<i>Excused</i>]
Mr. Rohan Sinanan	Member [<i>Excused</i>]
Miss Allyson West	Member [<i>Excused</i>]

10.21a.m.: *Committee resumed.*

Ministry of National Security Officials

Mr. Kenny Gopaul	Deputy Chief Fire Officer
Mr. Blaine Wilson	Fire Sub. Officer
Mr. Kazim Ali	Police Inspector Ag./Legal Officer
Mr. Deodat Dulalchan	Dep. Com. of Police (Operations) Ag.
Ms. Adelle Rahamut	Senior Legal Officer

Environmental Management Authority Officials

Mr. Hayden Romano	Managing Director
Mr. Wayne Rajkumar	Manager Technical Services
Ms. Jenelle Partap	Manager Legal Services

FireOne Fireworks FX Limited Official

Mr. Andre Abraham	Managing Director
-------------------	-------------------

Mr. Chairman: Good morning and welcome to the Nineteenth Meeting of the Joint Select Committee on Social Services and Public Administration. This is the Committee's third public hearing pursuant to its enquiry into certain aspects of the adverse health effects of fireworks in Trinidad and Tobago. I would like to indicate that this is our third public hearing into this subject matter. So this is a matter that the Committee has been giving a lot of attention to since we have been obtaining from members of the public, through the media and directly, that fireworks use is causing much harm to the public welfare, both of citizens and of animals in Trinidad and Tobago. The timing is also appropriate, propitious, because we anticipate that we will have some activity in this area towards the end of the year and in the coming weeks, so we would, pursuant to our two prior enquiries, want to conclude our year's work and the public enquiry in this hearing on this particularly important subject.

I would like to welcome all of our viewers on the various channels, the Parliament Channel and on the social media sites which are available for perusal, and I invite them to submit their own comments and their own recommendations, if they have, with respect to the ongoing work in the Committee. I would like to welcome members of the media who are here to provide the coverage and most important I want to welcome the officials of the Ministry of National Security, the Trinidad and Tobago Police Service, the Environmental Management Authority and the officials from FireOne Fireworks who have made the time to be with us this morning to address the concerns of the Committee and the concerns of the people of the Republic of Trinidad and Tobago. I will at this point ask that the members who are here with us to provide and furnish evidence to introduce themselves, and then after we have introduced ourselves in the Committee I will ask the representatives from the organizations to offer brief opening remarks before we proceed with the enquiry. Can I start with officials of the Ministry of National Security?

[Introductions made]

Mr. Chairman: Thank you very much officials. May I start with my right, Senator, can you introduce yourself for the record.

[Introductions made]

I will ask at this point in time the representatives to offer brief opening remarks. I will ask a representative from the Ministry of National Security then the fire service, then the police, the EMA and FireOne Fireworks to offer us brief opening remarks.

Ms Rahamut: Good morning Chair, members of the Committee, members of the public. The Ministry of National Security welcomes this opportunity to continue the discussions on this important topic using this forum. The discussions had thus far—and we will continue to have—will provide a useful basis upon which the Ministry can build with respect to any administrative and legal restructuring that is required to treat with the gaps that exist in the current framework. We therefore look forward to the discussions that will take place this morning. Thank you.

Mr. Chairman: Thank you very much. Fire service.

Mr. Wilson: Good morning to the Chairman and members of the Committee. We of the fire service are happy to be here again to ventilate our concerns concerning the use and the impact of fireworks on the public. We are looking forward to working with the other stakeholders in the formulation and implementation of legislation in this regard. Thank you.

Mr. Dulalchan: Chair, we, the police, are also happy to be here again to join in the conversation in relation to fireworks, and it will also give us an opportunity to provide some feedback following our last engagement in March.

Mr. Romano: Good morning Chairman and members of the Committee. We at the EMA are very happy to be here, because we will continue to support all the agencies who have primary responsibility for fireworks: the Trinidad and Tobago Police Service, the Customs and Excise Division, the Ministry of Trade and Industry and the regional corporations.

Chair, I would like to take this opportunity to advise you and members of the public that the National Environmental Policy, today is the last day for public comments, and during the full public comment period, during the consultations, one of the effects that people continued to talk about was noise and, therefore we urge members of this Committee and members of the public to please comment on the National Environmental Policy.

Mr. Abraham: Thank you, Chairman. We are honoured and privileged to be here to add our comments to this very important discussion. We are committed to do whatever it takes to ensure

that we achieve a win-win on all sides. Thank you.

Mr. Chairman: Thank you very much. I think that concludes—are there any comments from the back, or your leaders have commented for you?

Members: Yes.

Mr. Chairman: Very well, thank you. I normally start the questioning, but I will defer to the Deputy Speaker this morning. He has to attend an important matter and I hope he is able to return. So I will ask MP Esmond Forde to pose the first question to the committee.

Mr. Forde: Good morning again, colleagues. Welcome to this important JSC meeting. It is so important that we are 16 days away from the new year 2018 and we know the importance of fireworks, in anticipation of what is going to transpire on December 31, 2017 and as we bring in 2018.

We would have met on March 15th and also on April 19th as a body, and it is important to start where we would have ended. What has transpired between the fire service, the police service and the EMA, also the Ministry of Health in terms of collaboration, from April when we last met to now? Could anyone of the panel say what has transpired since we last met with regard to fireworks in Trinidad and Tobago?

We would have identified certain issues when we last met, and I would like to hear from the panel where we are at present with regard to fireworks in Trinidad and Tobago.

Mr. Gopaul: Thank you, Mr. Deputy Speaker. We of the fire service have submitted a document with recommendations, the way forward we see for fireworks. I must say, I am happy to have Mr. Abraham here because since our last meeting he has voluntarily contacted the fire service and we have begun to liaise with him in compliance, because we had a major concern with his establishment.

The way forward we see, and as the Permanent Secretary has mandated, is that we form a committee within the Ministry of National Security for us as stakeholders to deal with and to voice our concerns, to liaise with the Legal Department in the formulation of the legislation, which will have the greater impact in terms of implementation and the settling of this troubling issue.

Mr. Forde: Coming out of that, with regard to the EMA, Mr. Romano you were not present at the last meeting. I heard you mention in your introductory statement with regard to what is happening in terms of the consultation that is taking place, so I presume that one of the main concerns we had as a Committee was the person that represented the EMA on the last occasion,

where they said that fireworks did not fall within the purview of the EMA. That would have been back in March, back in April.

In your opening salvo you would have mentioned that you all had started some consultation, so could you just give us some information briefly as to what has transpired since and what the EMA is now doing with regard to fireworks, whether it is from a noise pollution point of view, a nuisance, a disturbance, whatever it is Mr. Managing Director.

Mr. Romano: You are correct, I mean, fireworks do not fall within the jurisdiction of the EMA. It is appended based on the fact of the noise from the fireworks with respect to noise variation. Noise from fireworks is instantaneous noise, and it is in the NPCR, the Noise Pollution Control Rules. So with respect to fireworks the EMA really plays a supporting role to the agencies who are primarily responsible for fireworks.

One, the importation of fireworks, that is dealt with by the Ministry of Trade and Industry and the Customs and Excise Division. Two, I mean, the actually letting-off of fireworks and the permission to let off of fireworks is a combination of the fire service, the police service and the regional corporations. The EMA will continue to assist all these agencies with respect to fireworks.

The EMA manages fireworks only when a promotor decides that they are having fireworks for an event and they apply for a noise variation under the Noise Pollution Control Rules, and then we would manage it in two ways. One, we specify the time that the fireworks are to be let off and two, we specify that they must inform all their stakeholders, all the residents in the communities that fireworks would be let off and maybe put in newspaper advertisements also, so that people can protect their pets. So we will manage it from that aspect.

What we have been doing at the EMA, and it will be completed in early January for comments by all the various agencies, is that we are looking at what obtains in other jurisdictions and coming up with recommendations to move forward with fireworks in Trinidad and Tobago. Recommendations with respect to the importation, recommendations with respect to the type of fireworks, because in some jurisdictions they have noiseless fireworks, and in some jurisdictions there are fireworks that actually can be let off indoors.

So we are doing some work. I mean, we will be completed with the research early in January. We will submit for comments to all present here before we go to the public. We would want it to be submitted to the agencies first, and we hope from there we will be able to move forward with

fireworks in Trinidad and Tobago.

10.35 a.m.

Mr. Chairman: Thank you very much. Could I ask MP Antoine to come in as a follow-up; he had a follow-up question to what was raised by MP Forde.

Brig. Gen. Antoine: Yes. In our April meeting there were certain recommendations that came out, and this is a follow-up to MP Forde's question. And one of the recommendations was, greater collaboration between the Trinidad and Tobago Police and Fire Service, Customs and Excise Division, the EMA, Ministry of Health, the regional corporations, the Ministry of National Security and the ODPM in order to effectively regulate the use of fireworks. I want to know, between April and now, was there any collaboration between these various agencies in terms of the regulation of fireworks? Was there any collaboration at all?

Mr. Chairman: It is a very simple question. The MP is asking whether there was, since March, any collaboration amongst the various agencies which have an interest in the matter?

You see, I will tell you, panel, what we have found in the committee stage is that agencies of Government operate in separate republics. They do not communicate, and everyone has a gap with the other, and the public interest falls through the gaps. We are looking to plastering these gaps today. So was there any collaboration; if so, could you tell us the details of that meeting and what the outcome was; or if there was no collaboration, can you give us a commitment that in the new year we will collaborate on this matter as a matter of urgency and priority?

Mr. Romano: Chair, DCP Dulalchan and ourselves at the EMA have been collaborating on noise on the whole. I mean, we have had several meetings with respect to noise, not necessarily fireworks because noise on the whole is a problem throughout Trinidad and Tobago.

Mr. Chairman: Right. EMA, I want to stop you there and I want to ask you a question and the question is this: The EMA, according to the EMA Act, is charged with providing advice to all arms of the State. Whenever an arm of the State, the Ministry of Agriculture, Land and Fisheries and for aerial spraying or something like that, you all are going to provide technical advice, you are a technical agency. Did you, during the past Divali celebrations when fireworks were let off at random in many neighbourhoods outside towns, did you test the decibel level in the areas to actually tell the Committee, well in this particular area the noise level exceeded the recommended decibels? Did you test air quality in a particular locale where you know there was a concentration? You see, your function is to provide advice. Did you do that? If you did not, do you plan to do

it?

Mr. Romano: We did not do it for Divali because as I said, I mean, we are still putting the data together in terms of exactly what we need to be measuring. And we are hoping that we will get some results for Christmas and for the New Year and, of course, we will be doing something and, again, we will continue to doing work with the TTPS, and I suppose maybe we could try to include some of the other agencies.

Mr. Chairman: We need to know what the EMA will be doing concretely.

Mr. Romano: Right.

Mr. Chairman: We need to know, will you test air quality; will you test decibel levels? It is your mandate according to the Act. Will you choose certain locales in the country where you know there is a high incidence of this activity, so that you can then provide the scientific data, the information to the police, the Ministry of National Security, the Customs and Excise, that this is exceeding that which is right for the health and welfare of the population, and we recommend these steps?

Could we get the assurance from the EMA? Because on the last time the EMA appeared before us the same issues arose; that they were going to do and they were going to do, and we are hearing that it is not yet done. Is it a resource problem or is it that it requires now a real dedicated approach, recognizing that the Committee is of the view that this is a problem that you will focus on it explicitly?

Mr. Romano: You are correct, there is a resource problem, and we will make all efforts to, one, because we have a commitment from TTPS, DCP Dulalchan, to assist us with respect to the resources, and we will make some efforts to test decibel levels.

Air quality is a bit more of a challenge because we just do not have the equipment, the mobile equipment with respect to air quality, but we will look at decibel levels with DCP Dulalchan for Christmas, that is one commitment we will make. And the second commitment that we will make is to have the recommendations to the various agencies by the middle of January.

Mr. Chairman: Okay. Thank you very much EMA. MP Forde, I am giving him maximum leeway because he has to leave.

Mr. Forde: Mr. Chairman, the summary of proceedings, public hearing, which we have in our possession, these documents would have been provided to—

Mr. Chairman: It is on the *Hansard*.

Mr. Forde: Oh. Because what I am saying, based on the question, right, that we had posed to the managing director Mr. Romano, because clearly on this document it has clearly identified issues discussed with the EMA and it is clearly itemized, which are some of the points that, you know, that we want to ensure that you all look at. Right? So I “doh” know it is possible, Mr. Chairman, that you know, the information like this can be provided to the relevant bodies that are here today to ensure that they have clear guidelines on what we are looking for.

You, Mr. Romano, are talking about 2018, but within 15/16 days, 15 days from today there is going to be a nuisance, there are going to be complaints. And again, coming out of the report that we have received from the TTPS, right, which was submitted by the Commissioner of Police with regard to reports, the public image and the public always complain about fireworks, the nuisance, the noise, their animals, you know what I mean, people are scared.

But yet still, during the independence period we have one report being made in the south of Trinidad, Port of Spain, western division, north-eastern no reports were made, but a lot of people complain to Members of Parliament, complain to their councillors, complain on the radio stations on the various media houses. For Divali period in October we came up with 24 reports, and then we also saw which part officers responded, no one was seen, different information, you know, because again, people are not coming forward.

To you, Deputy Commissioner, Operations, what could be the reason why when these complaints are made, officers go out and, you know, there is no further feedback, you know? Could you give us a little hint on that?

Mr. Dulalchan: I think on the first hearing I alluded to the fact that sometimes the people who, in fact, make these complaints are relatives and neighbours, and you find that that is the problem that we continue to have. The police will respond, we will see people, we will engage them, we will ask persons questions, specific questions. Even most of the calls sometimes are, in fact, anonymous because it is neighbours and family calling.

And I was making the point yesterday in preparation, maybe we seriously have to look to see at the top levels how we can set the kind of controls that we want. But just to indicate, we would have taken some advice from the Committee hearing where we did, in fact, we came up with six strategies that we went full blown by way of public awareness. All right? All divisional commanders, they were instructed two or three days before to ensure that we heightened our policing activity by way of patrols and visibility so that their presence will serve as a deterrent.

We also would have done the same thing for Independence. While for Independence the use of fireworks is not as prevalent as Divali and as it will be over the next few days into the Christmas season.

What we also did, the commanders were asked to even engage the general public by using the *Beyond the Tape* programme. We dedicated an entire press brief in relation to fireworks just on the eve of Divali. There was also a press release that was made in relation to Divali, and by extension we tried long before to have our community police officers in moving around and engaging with the schools, to speak to the law and the harmful effects of fireworks.

Now, whilst we are saying here that we had 24 reports, I think, I do not know, because we are all aware that rain really fell across the country on Divali night, so we do not know if possibly that could have in any way mitigated.

But those were some of the initiatives that we took really to say well there is a correlation. Now with just 24 reports across the country, to my mind, is really minimal. Right? But whether or not any other factors might have contributed to that.

Mr. Forde: Thank you, Commissioner. I would just like to go to the Chief Executive Officer of FireOne. Welcome, Sir.

Mr. Abraham: Thank you.

Mr. Forde: You are a licensed authorized wholesaler of fireworks, that is officially on the records of Trinidad and Tobago?

Mr. Abraham: Yes.

Mr. Forde: Okay. Fine. In terms of within the next couple of days, and we have seen it for Divali and other occasions whereby we see these tents at various malls throughout Trinidad and Tobago and at strategic locations where tents, FireOne and where you do retail selling. Is it that you have to get permission from any of the necessary regulatory agencies in Trinidad and Tobago to be located at these outlets in order to sell your fireworks? That is one.

Two, is it that by selling it at those locations, are you properly secured, healthwise, in terms of storage, in terms of all the necessary deliverables, safety and so on at these locations: West Mall, I have seen you by Pricesmart, you know, those various locations? Could you just shed some light on those particular aspects, please?

Mr. Abraham: Thank you, Mr. Forde. Every location that sells fireworks products has to obtain a retail explosive licence that is granted by a magistrate. The magistrate relies on the advice of the

police and fire service before granting the approval.

On the topic of safety, I mean, we have started this business in 1995, and people think, you know, fireworks is explosive, but actually if one of those locations were to have an accident, a fire for example, consumer fireworks burn just as a table or a chair would burn. And in our opinion and what is done internationally we have sort of adopted the policies that we have seen in US. And if a situation were to occur, it is probably better away from a building, on its own.

So let us say there was a fire, it would burn at a stand-alone and it would not affect the other buildings that are in its surroundings, and that is how we ended up with that model rather than take the product within a building where there are a lot more, let us say, if we were talking about a mall, for example, there are a lot more persons attending the mall, shopping, a lot more stores. So we are of the view that a lot less can happen outside of a building rather than inside a building.

Mr. Forde: Follow-up question: are there expiry dates on fireworks?

Mr. Abraham: It is not noted, it is not printed, but usually we would rotate our stock every two years, and we look at our consumption habits, and then we forecast based on what the trends have been. So usually when inventory comes in it, it would last maybe one season and then our stocks are not completely depleted, but 80 per cent depleted, and then we will restock. So every year and a half, every two years you have fresh stock coming in.

Mr. Forde: Okay. One other question, Mr. Chairman. Noiseless fireworks, we were told that there are noiseless fireworks.

Mr. Abraham: Yes. That is true.

Mr. Forde: Do you import any of those?

Mr. Abraham: Yeah. We have quite a bit of—

Mr. Forde: But is it marketable? Do you all promote it? Because when I say, I have never heard FireOne say anything about noiseless fireworks because, you know, we—is the representative from health is here? No. They are not here. Right. When they talk about the decibel levels with regard to animals and pets and so on and even to some individuals, you know, the differently abled and so on.

In terms of the promotion of noiseless fireworks, is there profit?—because I think you are in the whole business for profit. Right?

Mr. Abraham: Well—

Mr. Forde: Okay. All right. *[Laughter]* Hold on. Okay. I will answer it.

Mr. Abraham: Let me just say that this business started off in the days of bamboo bursting, saltpetre and carbide. So this is a business that was not meant to make money. That might sound strange, but we did not wake up one morning, just to put on the record, we did not wake up one morning and say, “you know, we could make money selling fireworks”. This was a childhood fascination of my own where I would take the Klim bottles and put the carbide in it and spit and light. I went through the whole evolution before FireOne was created. So of all people I have a vested interest as from a passionate point of view to ensure that everyone is treated fairly in this industry. So, what was the original question?

Mr. Forde: In terms of soundless fireworks—

Mr. Abraham: Right.

Mr. Forde:—and the benefits and it being profitable in order to promote it as an aspect within our climate in Trinidad and Tobago?

Mr. Abraham: So coming back to the carbide, bamboo, saltpetre, before FireOne came on in the market in 1995 there was a huge amount of scratch bombs that controlled the entire market. So when we launched—well, first of all a scratch bomb product is not something that we endorse or sell. It enters the country through the back door and it is a product that is not internationally tested, it is overpowered, so there is a lot more black powder in a scratch bomb than in a normal fireworks product, and it has no labelling. So when you ignite it, it is very, very explosive. Unfortunately, people connect anything that goes bang to our company. So we had that issue of educating the population in terms of buying safe types of products.

And on the other side of the coin, even though the laws in Trinidad and Tobago do not exactly—

Mr. Forde: Mr. Abraham, one ec. Just in terms of—I understand the information you are trying to give us, it is good information, but exactly in terms of the soundless fireworks.

Mr. Chairman: The issue is, are there noiseless fireworks?

Mr. Forde: Can we introduce it into our market? Can we promote it? Tell us something?

Mr. Abraham: Yes. We have it. Fireworks, we have several different clarifications of fireworks.

Mr. Chairman: Okay. A point, to get on focus. What percentage of the fireworks sold in Trinidad and Tobago can be deemed to be noiseless and what percentage will raise the decibel level? Is it 10 per cent noiseless; 90 per cent noisy; what is the proportion?

Mr. Abraham: I would not have the exact numbers, I can provide that. But I will say that the soundless fireworks they are popular, but not as popular as the other ones that go in the sky and

open up into colours.

Mr. Forde: One last question. Do you sell fireworks to persons under 18 years?

Mr. Abraham: No.

Mr. Forde: So under 18 you present your ID card or they come with their parents accordingly.

Mr. Abraham: That is a strict policy at all our locations and at our facilities in Macoya. And as a matter of fact, Mr. Forde, just to add, anyone that shops at FireOne needs to be verified. So they must show their ID, they must sign a form, they must give us all the information. So we know our clients and we know who we are selling to. And again, this is something that we have implemented outside of the law of Trinidad and Tobago that we have learnt from, you know, following the guidelines in the US and in the UK, the NFPA policies.

Mr. Chairman: Thank you very much, Mr. Abraham. One follow-up question on that and, that is, do you provide any instruction at all to buyers of the product on how to safely use this product? Or is it that anyone can come in with no instruction, buy a quantity and he is left on his or her own to fire off the items?

Mr. Abraham: Yes. We do. Every customer who comes to our store they are bombarded with video presentations, with leaflets on how to use the fireworks products and every product that we import into Trinidad and Tobago, even though we do not have the strict guidelines to follow, we have self-adopted the NFPA guidelines which use an agency called AFSL which is the America Fireworks Safety Laboratory which inspects every single fireworks product that is produced in China. So the products that come to Trinidad meet the international standards set out by the NFPA in the US.

And just on that point, each product is labelled with instructions on how to use the product. So besides our promotion of safety in the newspapers, at the store every customer gets a leaflet, the product itself has the information on how to use it safely.

Mr. Chairman: Very well. Thank you very much. I will come back to that point and I would want to raise an issue with the fire service and Mr. Dulalchan on just that point. The law stipulates a 60-foot distance between the firing of a fireworks and the middle of the street, but I will hold that until I get—because now that I know that people are trained, I want to know what the police and the fire are doing to ensure that they do not fire this thing off under the 60-foot guidelines as given by the law. But MP Newallo-Hosein, you have a question, you come in.

Mrs. Newallo-Hosein: I have two follow-up and a question. The first follow-up, and I am

speaking to Mr. Abraham. You made a comment just now and I just got a little bit confused. You said that the soundless pyrotechnics, people prefer the other one, you know, the colour and so forth, and I got a little bit confused. What is the fundamental difference other than no sound is there between the soundless pyrotechnics and the ordinary ones? You made a comment, you said the colour and I was just wondering if there is a diminished exuberance when it explodes?

Mr. Abraham: Well, to get the fireworks up in the sky it requires black powder which propels the rocket or the device, and then to get the stars to open out, it also requires black powder. So when that ignites everything opens in the sky, which are the more popular products. Some of the other products we sell are like fountains, so it stays on the ground and it emits like a shower.

Mrs. Newallo-Hosein: So tell me the difference now with the soundless. What happens with the soundless?

Mr. Abraham: A soundless fireworks would stay on the ground, for example, and it would emit some showers of sparks, so it would not shoot off into the sky and then burst into colours. And then there are other products that stay on the ground and it spins as well and just burst, you know, the colours come, there are sparklers, it is considered a fireworks which is just sparklers. So there is quite a bit of soundless products, but obviously what catches everyone's attention is the loud ones which in most cases it is not even our product, but scratch bombs that are illegally imported.

Mrs. Newallo-Hosein: Okay. Thanks the explanation, because I was kind of wondering there, and I did not know the difference so I am glad for that.

Going back to an earlier statement you made as well. You said, based on the American model you have established these outlets outside of buildings to limit the amount of—any mishap that may occur. What is the proximity, the distance in terms of proximity that one should have their outlet from an established business or infrastructure?

Mr. Abraham: Usually we go as far as possible. So if there is a patch of grass or a field away from the building, we will go to the very furthest point.

Mrs. Newallo-Hosein: This is to sell, eh?

Mr. Abraham: To sell. Yeah.

Mrs. Newallo-Hosein: Yes.

Mr. Abraham: So, for example in—

Mrs. Newallo-Hosein: So there is no proximity guideline in terms of the US model?

Mr. Abraham: Not that I am familiar with. Remember when these fireworks ignite they burns,

they do not explode, versus the class B items which are the one used on the large-scale shows, those require special storage which we take care of at our bunker in Mt. Catherine. So that type of product if it ignites, you will have a crater in a building, for example versus a controlled fire.

Mrs. Newallo-Hosein: Okay. So, now that I have finished with my follow-up, this is my question. Based on research conducted by the Secretariat, their committee noted that the section 7 of the United Kingdom fireworks regulations 2004 outlines provisions that regulate the fixed times and dates for the disbursement and display of fireworks. Do you agree that amendments should be made to our laws to mirror that of the UK and other countries who have designated days and times for the use of fireworks?

Mr. Abraham: Definitely yes to that. The law that governs the fireworks industry is really an explosive law, it is 100 years old, it has not kept up with the industry. And having fireworks set off on specific days and specific times will solve a lot of everybody's problems because it would make the police and the fire job a lot easier, because they would not have to distinguish if it is a legal product or an illegal product. Once it is lit outside of that time period, then they can act on it. All it would require is a neighbour to take a picture and have some level of evidence and the society will adapt once we set the guidelines to follow.

So, I mean, we believe in a win-win scenario so that the people who love fireworks and who want to celebrate, if we give them a couple of hours on New Year's night, for example, or Independence night or Divali, just a couple hours on that specific night, then people who have pets and senior members of our society could make provisions. And then if the laws are strict enough so that if you break it there is a consequence, people will obey the laws. So right now if someone is caught with fireworks, what is the consequence? I mean, the police working hard running down somebody who is lighting fireworks and then they get a small fine, it needs to be much stricter.

Mr. Chairman: So could I interject here and ask you to have your company provide the Committee with your recommendations as to what you think would be the appropriate regulations which could govern fireworks use? Because as you know, Parliament has the power to ban fireworks all together, some jurisdictions in the world have done so. What we are looking at is the compromise situation—for those who like noise and those who abhor it—is, what is the regulatory mechanism, time of night, the hours of use, the amount you can send up? If you can send us that on what you consider to be the regulations that the Committee can consider, so that when we come to look at the laws, we may amend the laws based upon regulations recommended by the dealers

themselves.

Mr. Abraham: Chairman, just to say, if there was an outright ban on fireworks we would go right back to 1994 where illegal items take over the market, a product that is not safe gets into consumer hands, an entire black market is created. And we all know what happens when there is a black market.

Mr. Chairman: And we are aware of that; it is an option that is available. But right now the option that we have is not working for the citizens of Trinidad and Tobago. The decibel level on Old Year's night is going to be unacceptable for people and pets of all ages. We have had the issue last year where the fire service indicated that there was a fire in Port of Spain east or something in which a wheelchair-bound citizen actually died. So the situation is getting to an unacceptable position for a number of people and we do need to address what we could do to ensure that is not repeated.

We have seen a citizen lose her fingers with a scratch bomb. So these devices—you have said that you do not market, those scratch bombs, but these devices are now causing harm, and we want to minimize that. That is our responsibility in the Parliament. We have not really spoken to Fire just yet, I am giving other Committee members a chance, but really we would like to get your views on the regulations because we do want to ensure that the harm that is experienced by the population, including the pet population, owners of pets, can be minimized.

And on that basis, MP Dulalchan, the Summary Offences Act—[*Crosstalk and laughter*] it could be MP, superintendent, commissioner, maybe you could be MP too. Right. But you see the Summary Offences Act specifically states that cruelty to animals is a criminal offence and that we did get advice from the Ministry of Agriculture, Land and Fisheries who indicated that well they look at more agricultural animals. When it comes to domestic animals, the duty to enforce the summary offences then falls on the police.

11.05 a.m.

So that reports will be made for pets, and we know now more and more pets are comfort animals to people. It is no longer something nice to have, they need that as part of their lives. So, I will come to those issues when other Committee members have been given an opportunity.

As a response to Mr. Abraham, yes, we know that there are problems with bans, but we know that there are problems too when a situation is unregulated, and we would be looking at appropriate regulations. Who would be in the best position to offer the Committee on appropriate

regulations? The dealers. The EMA on its research, the police on enforcing the law and the fire service, because the fire service knows about fire more than most, and know about what can cause a fire, and we have the Ministry of National Security which must rely on the EMA for advice with respect to the granting of the licences. Licences to import must be signed by the Minister of National Security, must they not? So a question before the Committee members come in, have you granted any new licences for the importation for 2017?

Ms. Rahamut: Yes, we have, Chair. We have granted one.

Mr. Chairman: You have granted one, did you get advice from the EMA with respect to the quantity? With respect to the type that you could import, the decibel levels and so on, or did you just grant a licence without the technical information?

Ms. Rahamut: The procedure that is usually followed is that the Minister would ask for the views of the Commissioner of Police, as well as Fire would do the necessary investigations, and advise the Minister accordingly. EMA would not have been involved.

Mr. Chairman: Right. So, the Commissioner of Police will have been asked, did the police get information from the EMA? You see I am trying to see how various arms of the State can start to work together. If I am the Commissioner of Police, and I know nothing about decibel levels, I would ask the people who know, and was there any overture to the EMA from the police to find out, really, how much harm this thing is going to cause to the noise level of people, Deputy Commissioner?

Mr. Dulalchan: Sir, well regrettably I am not in a position to speak in relation to that specific licence. I cannot say. I do not know.

Mr. Chairman: Okay, very well. But Commissioner, I just want to get your views, that when the views of the police or the fire service, or any agency are solicited, it would make sense to really rely on the agency of the State that has the technical information so that your decision can be an informed one as opposed to simply a bureaucratic one. It appears that these licences are granted on a bureaucratic procedure as opposed to a scientific. So, could we recommend then that when you have to make recommendations on these—the law says that you must do it because you enforce the law, but you do need inputs from other agencies—that you will collaborate with the EMA on this one?

Mr. Dulalchan: I think it is important, Sir, that that collaboration does in fact take place.

Mr. Chairman: Yes, very well. And may I ask the dealer about the process for applying for the

licence? That a licence was granted, I do not know if it was granted to your firm, Mr. Abraham. But, what is the process of obtaining one of these licences, and what is the amount that is imported? And I am coming to the police with respect to scales, because I know the police has vehicles, I do not know if they have weighing stations. The law gives them the power to enforce or impose a fine anywhere there is an excess of 150 pounds. So, police, I do not know if you have scales. When was the last time you calibrated the scales? If you have ever weighed? You think about that while I pose the question to Mr. Abraham.

Mr. Abraham: Chairman, the 150 pounds that you referred to is actually the black powder in the device, and these devices have milligrams of black powder. An entire container of goods would not even amount to what is stated in the law, so just for your information on the weight.

Mr. Chairman: Well, when I read the law it says 150 pounds of explosives, you know, and we can get into the legal technicalities on whether it is the powder in the explosives or whether it is the packaging, and so, I would not get there. If I were the police—and I am not—I would get me a scale, and this is a recommendation to the Deputy Commissioner of Police, the law gives you the power to go and weigh the items, and if the scale can only weigh 10 pounds, Deputy Commissioner, you need to do it about 15 times, and then you would know anything in excess of the 150 is more than what they are supposed to have, and it is charge time. So that there are ways to enforce the law.

I know we have not enforced the law in the past. We have old laws, but the old laws are not as archaic, we can enforce them. There are licences which are required, we need to inspect them, simply to let the population know that we are looking at the matter. We have animal rights laws, and that is since the 1950s. So we do need to call the police now, if you feel that somebody is harming your pet, and the police will now have the power to impose the sanctions. So, with respect to the question that was posed—and Sen. Ameen has not yet come in, and there are so many issues arising. The licence that was granted, was it granted to your company, and what was the amount that was approved?

Mr. Abraham: So, just as the representative from the Ministry of National Security mentioned, we would work within the framework of the laws set out in Trinidad and Tobago. So, we would apply to the Ministry of National Security, and then send copies to police and also to fire services. Unfortunately, the law does not speak about the EMA, so we just stick with these two agencies, and then the police would do an investigation, and the fire would do the same, and they would

send their recommendations to the—

Mr. Chairman: Could you give us an indication of the new quantity that was imported?

Mr. Abraham: It does not make financial sense to bring in more than you are going to sell, because you are going to use warehouse space, it is going to require US dollars, which is another topic, you are going to require more financing.

Mr. Chairman: Is it a container? Two containers? Three containers? Five containers?

Mr. Abraham: It is usually based on our consumption. So we would look at what the market requires and we would just replenish based on that.

Mr. Chairman: So, the licence did not give you a limit? The licence just give you a permit to import. It did not give you a limit that you are limited to so many of these items?

Mr. Abraham: It does give you a limit, and I have to also commend the Ministry of National Security, because they have also reduced quantities in terms of the amount we are allowed to import.

Mr. Chairman: Very well. Thank you very much. I have been dominating. It is not my role to do so. Sen. Ameen has been very quiet, so Sen. Ameen, please come in at this time.

Miss Ameen: Thank you very much, Mr. Chairman, I know you are passionate about this issue and the public nuisance that it causes. I had a follow-up earlier with regard to the report submitted by the Trinidad and Tobago Police Service on the number of reports submitted to the TTPS during that period August 30th to 31st this year with regard to nuisances and discharge of fireworks. And earlier, one member referred to the report where you had very few reports being made and then you spoke of your challenges in terms of pursuing them, where people were spoken to but you got no useful information in almost all of the situations.

Mr. Chairman, this comes together with the fact that the police would have indicated their challenges with manpower and other resources, the fact that we have an increase in other issues such as robberies and so on. And in fact, there are people who experience robberies and do not even bother to make reports because they feel that it is even more trouble than just getting past the incident.

My question to the Trinidad and Tobago Police Service, you spoke of your strategies, and some of them are geared towards responding when there is a nuisance, but I am happy to hear that many of your initiatives are based on education, changing the culture, and preventing the nuisance, because to respond to the nuisance really goes nowhere. I want to ask you, with regard to that,

have you established for instance any hotlines? Are you collaborating with community groups or NGOs, watchdog groups? And the role of the municipal police officers in regulating the discharge of fireworks within the communities?

Mr. Dulalchan: No, we have not considered initiating any hotlines in relation to this topic. I do know what might be the logistical concerns that we may probably have to look at, but the E99—that 999 line remains open. We do in fact work very closely with our officers who are in fact working at the regional corporations, but we are well aware that in some regional corporations they just have five and six officers, and at present up to yesterday we were told that just within recent time they would have completed interviewing about 480 officers. So, hopefully once the municipal corporations are in fact properly well beefed up we should be able to do much more.

But just to indicate, I think the challenge here really is getting the support to corroborate, and we need that from the police. I mean, within seconds—and most of the packaging and so on, disintegrate with the explosion of the commodity. So we are in fact challenged. I think that is why it is important for us to really bring in the sort of control, and maybe, just maybe whether or not depending on the regulations that will be formulated, specific time, location and days and so on, whether we may now have to consider that if you purchase fireworks after that event, whether it is an offence to even keep it in your possession, or whether there might be regulations that you need to take it back to the dealer and so on. So, those are things that can be discussed. Those are things that can be discussed.

Miss Ameen: So for the information of the public, they can call the E99 lines to report any nuisance with regard to fireworks over the upcoming weeks?

Mr. Dulalchan: Definitely. Definitely. The E99 line, your local police station.

Miss Ameen: And I would want to ask the EMA if they—

Mr. Chairman: Give me a follow-up on that one?

Miss Ameen: I wanted to ask the EMA if they have a hotline?

Mr. Chairman: Right. Okay, but before you ask the EMA, Mr. Dulalchan do your officers have tape measures in addition to scales?

Mr. Dulalchan: Yes Sir.

Mr. Chairman: And, can it go to about 70 feet?

Mr. Dulalchan: One hundred feet, Sir.

Mr. Chairman: It can go to 100 feet. Have you ever had roving officers in a hot spot moving

around, going into areas and measuring 60 feet from the centre of the road to where they think the fireworks was exploded, because the law gives you that power. Has it ever been done?

Mr. Dulalchan: Not to my knowledge. Not to my knowledge.

Mr. Chairman: Okay, I want to advise the population that the police of Trinidad and Tobago have the power to estimate that distance. The law says, anything in excess of 60 feet from the centre of the road is a criminal offence liable to a charge. So that I think if people know that they cannot fire this thing off or explode this thing 55 feet from the centre of the road, or 40 feet, or 59 feet from the centre—they must be 61 feet before they can explode one of these devices, I think the police would find themselves in a good position where they can control a lot of the activities, especially where the homes are close by.

And you know that there is no way there can be 60 feet from the end of the house to the middle of the road. So, I think it is important for the police to engage in a public education campaign to advise the population about this 60-foot rule. We can consider 120-foot rule, of course, but currently the law gives, as you know, summary offences, 120. But now—that was a follow-up.

Miss Ameen: Does the EMA have a hotline for the public with regard to nuisances and fireworks?

Mr. Romano: Yes, we do have a complaints line and it is 680-9588, and you can also contact us by email, complaints@ema.co.tt.

Mr. Chairman: Very well. And you do have voicemail, because I have called the EMA a couple times and I did not get a person to speak to at the time. So I hope you have a voicemail where a message could be left so that it could be recorded?

Mrs. Newallo-Hosein: Chair, just a question based on what it is you indicated there. Is it a normal practice or is the tape measure a piece of equipment that a police officer attaches to his body as he goes and he has it on him at all times?

Mr. Dulalchan: Not necessarily. We usually use those tapes to measure when we have road traffic accidents and so on.

Mr. Chairman: But as you know, Mr. Dulalchan, the Summary Offences Act must be enforced by the police, and what we are saying is that the police have the power—police officers have the power, and in order to enforce the law they must take evidence, and the law gives you the 60-foot rule, and you could only enforce it if you weigh the merchandise on the one hand, and if you measure the distance on the other hand. In that way you can take the case to the magistrate and

say well, we have dutifully measured, we had witnesses and they were exploding this thing within 45 feet of the centre of the road.

So, I think if the police force were to start thinking now, not only road traffic accident, which is important, but this nuisance which is growing, I think we will go in some direction in gradually addressing the problem. But Mrs. Newallo-Hosein, MP, you have another question?

Mrs. Newallo-Hosein: Thank you, Chair, I just wanted to ask Mr. Romano if the hotline is in fact 24/7?

Mr. Romano: The complaints line which is the 680-9588 is 24/7.

Mrs. Newallo-Hosein: Have you received any complaints on that hotline regarding fireworks?

Mr. Romano: Yes, we have received complaints regarding fireworks. I do not have the figures here in terms of how many complaints we have received regarding fireworks, but I can tell you that the majority of our complaints, and I would say over 80 per cent of our complaints on the hotline is noise.

Mrs. Newallo-Hosein: In that regard, what do you do? In light of the fact that we understand that noise level in terms of fireworks is not under the remit of the EMA, what do you do with the complaints?

Mr. Romano: In most instances we will contact the police and we will tell them about the complaints—that people are complaining about fireworks in X area, so we will contract the nearest police station.

Mrs. Newallo-Hosein: And how soon is this information dispatched to the TTPS? Because if a complaint comes now, is it that they are speaking to a human or is it a voice message that they actually speak to?

Mr. Romano: It is a human. Somebody would answer the 680-9588 24/7.

Mrs. Newallo-Hosein: Then something is very wrong, because based on the report from the TTPS, in light of the fact that you have made that statement, according to what the police say, no reports were ever made. No reports for Independence. Port of Spain, no reports, Divali, nil; Western, no reports, Divali, nil; Northern, no reports, Divali, six reports; North Eastern, no reports, Divali nil; and this is Independence and Divali. Eastern, no reports, Divali, two reports; Central, no reports, Divali, nil. And so something is very wrong, and I could continue with the list.

Mr. Romano: No, if we did not have a report on fireworks, I mean we would not make a report. If we have a report on noise, we will investigate the report on noise.

Mrs. Newallo-Hosein: If we could get that in writing?

Mr. Chairman: Just to the EMA—right. Right—we would like to get that report supplied. But may I also recommend to the EMA that you put on social media where the advertising, I understand, is free as opposed to regular media, the EMA’s hotlines, and that any nuisances can be reported to the EMA using these telephone numbers, these email contacts, these particular media, so that the EMA then will be a repository of a lot of the complaints which it will then be able to inform the police as to where the problem areas may be, so that police time can be more efficiently utilized.

You see, if in fact this thing were to work right and you get a tremendous amount of reports on Old Year’s Night, and you simply call Mr. Dulalchan and say “in the areas, X, Y, Z we are getting numerous complaints” he can then deploy his mobile officers with the tapes and so on to ensure—you see, there is enforcement of the law and there is the presence of the law. Simply seeing a police officer with the blue lights, a police vehicle can in fact cause people to control their adverse behaviour. But, it makes no sense going into an area where there is no big problem when the EMA can compile the data to inform the police that you should take a look at this area, see if you could send a few vehicles around, people on the streets may stop the police and they may indicate, well, so and so is causing major harm.

So, I think with collaboration, police and EMA there should be some major issues. We have not brought in fire service in quite a while, and I know we have questions, but I want to bring in—could you hold that question?—the fire service.

Mrs. Newallo-Hosein: It is follow-up from yours.

Mr. Chairman: Right, but I just want the fire service to think about the question while you pose the follow-up. These devices must be stored in magazines. They must be stored according to specifications. I do not know them, maybe the police do not know them, but you know them. The fire service knows everything about fire, I would just like to find out when was the last time you checked, and did the storage areas meet the specifications as per the regulations set out by the fire department? But before you answer that, Mrs. Newallo-Hosein has a question.

Mrs. Newallo-Hosein: Thank you, Chair. Based on the discussion that Chair just spoke about, Chair asked the Managing Director, Mr. Romano to call the Deputy Commissioner of Police, which would not be practicable, but it brings up a very important point, when you got these reports whom did you call? Did you call a specific person or did you direct your complaints to each

division that the calls came from?

Mr. Romano: So, if we have complaints that we feel are better handled by the police we would direct it to the division. We would not direct it to the DCP. What we are doing with the DCP is actually defining who are the people we should contact in the nine divisions, and that is what we are working on right now with the DCP.

Mrs. Newallo-Hosein: Excellent. But in the meanwhile, when you submit the report to us, if you can identify the various divisions that you have spoken with?

Mr. Romano: We will do that, yes.

Mr. Chairman: Very well. Sen. Ameen you have a question?

Miss Ameen: Thank you, Mr. Chairman. Mr. Chairman, I want to come back to the police. The Act gives you the authority to inspect premises, to enter premises where there is any wholesale or retail, and to inspect the explosives in the stock of the dealer, as well as the receptacles in which they may be stored, and we are speaking a lot about the prevention rather than response, and I want to ask if the TTPS intends to undertake any inspections during this Christmas/New Year period to ensure that all retailers and wholesalers adhere to the provisions of the Explosives Act, and in particular—well, the Chairman mentioned the compliance with the 30- pound limit in terms of the amount of explosives that the retailer may have on sale, for the safety of the public. Do you intend to do any inspections?

Mr. Dulalchan: We continue to ensure that those licensed premises are in fact visited to ensure that there is compliance, and we will continue to do so. But, just coming back to the weight, we will in fact be challenged because of the composition of the explosives. When I say the explosives, the composition of the firework, it may just have a very minuscule part of it being explosive. So, the whole issue of how do you go in to dissect the explosive by way of weight, and I think that is a challenge, and that is why—even yesterday when we knew we had to come here we were engaged in that, we were saying that. Whether or not the time has come when the firework itself, it should be stated how much explosive is in fact in each, so that it allows you, it gives you the opportunity to do your calculation to determine the weight.

Mr. Chairman: Okay. Very important point, Mr. Dulalchan. Are you recommending then that it would be beneficial for the firework itself, not only to have the weight of the explosive there but maybe the decibel level, the manufacturer, having exploded this device after he has made it can put it in his packaging, what the decibel level is, and therefore you ought in the police to know

whether the fireworks that are being sold exceed a certain amount of decibels? Because, you see, fireworks will be used by a range of agencies. The police will use it on Independence Day, so that is a different type, and then people will use it, and that there may be, according to what the Managing Director of FireOne is saying, that there can be a differential in the type of fireworks used by the police for Independence Day celebrations and the type that is used by households or New Year's Day celebrations based on decibel level.

So it may very well be that we need to get the content of the powder in there, as well as the noise level, once it has exploded, what is the noise level from where it is going to explode to someone hearing on the ground? You think that is where we might want to go in regulations?

Mr. Dulalchan: Certainly, and what it will do, it will allow the police officer to actually see someone, and just by merely checking it, if it is not within the specifications and within regulations you can probably seize and possibly prosecute.

Mr. Chairman: I do not know if, to bring in Mr. Abraham here, it is possible, Mr. Abraham, for the manufacturer to do as is suggested, to put on each of these explosive devices the decibel level that one can expect once it has exploded?

Mr. Abraham: Once you are working with a Chinese manufacturer, you have an option to buy a certain type of product. We self-regulate ourselves and import items that are inspected by AFSL, American Fireworks Safety Laboratory. So basically every single product has criteria, how much black powder, how much stars, and if you visit any of our stores you will see this stamp on every product and every carton. So they manufacture it based on the American standard. The UK standard is actually a bit higher, and we could bring from the UK, the UK-type product, but it is louder. It uses white powder and not black powder. But because we are responsible and we care about the industry, we choose to buy products that meet the American standard.

And to answer your question, yes, they can provide all the technical information. We have a stat sheet for each product that we import, and I guess this is where Customs would come in, because if we adopted the NFPA guidelines and modified it to Trinidad and Tobago, we would not have to reinvent anything, and we can follow that guideline.

Mr. Chairman: That is very valuable, because what in fact we are getting now is that since it is possible to actually determine the specification of each of the explosive devices then we can consider, could we not, limiting the amount each consumer can purchase at a time and regulating the amount that he is going to explode within a period of an hour, so that we will know that if he

has one with X decibel level and he is limited by 10, and the licence given to the vendor is that he can sell no more than 10. If you buy more than 10 from another vendor that is your problem, but you are given a certain amount to explode with a certain decibel level, it may go in some way towards minimizing the harm that citizens cause to other citizens, because of the unregulated nature of the business.

But I would like to bring in the fire service. Fire service, you are supposed to inspect the magazines, you know everything about building specifications to ensure that these devices are not going to cause problems, have you done so and what have you found?

Mr. Gopaul: Thank you, Mr. Chairman. We are obligated under the Fire Service Act, Chap. 35:50, and Part V of the OSH Act, 2004, 2006, as amended, to inspect all industrial premises, and what is of concern to us is the storage, where all these minuscule—as Mr. Abraham put it—explosives are stored, the combined effect that will have in a fire, or an explosion will be devastating. And we inspect these every year. We inspect it under OSHA to issue a fire and life safety certificate saying that people can access there, the storage is safe, it complies with fire safety regulations, the fixed installations are in place, so there is no risk—following our risk management inspections—of a hazard to the public.

11.35 a.m.

And we do inspect these places, as I said before, but I want to come back to something you said just now about the coordination of the different departments to mitigate this disaster that could be potentially happening, in that places like Customs are under the Ministry of Finance. The EMA, I am not sure what Ministry—

Hon. Members: Ministry of Planning and Development.

Mr. Gopaul: Ministry of Planning and Development. And then we have our own silo in the Ministry of National Security. We need to get together. We really need so that we can be on a common page, a common platform to launch together to get proper legislation and we at the Ministry, we collaborate, we know what we want and we are focusing as the way forward. But to come back to your question, in terms of the inspections, I will ask Sub Officer Wilson, as the inspector, to come in.

Mr. Wilson: Mr. Chairman as an inspector we inspect these premises regularly. But the fire service, as an inspector, what we would like to see is—when we look at the Explosives Act, that Act really predates the existence of the fire service. So there is no mention of fire officers there

and what is in place presently is that with our collaboration with the police service, we assist with the importation, transportation and storage. Because that is how it is happening, our force then, our power in terms of engaging with agencies is a bit limited. So we appeal more to the person's good nature, education and sense. So what the fire service would like to see, as an inspector, someone who is out there, is that you have the—while we use the OSH Act but it is bits and pieces of the services put in together.

Mr. Chairman: Could you make a recommendation to the Committee as to what change you would like to see in the Explosives Act, in particular, or maybe the Fire Service Act?

Mr. Wilson: We did submit a regulation which is in harmony with the NFPA, the best practice and things that we would like to see actually enforced.

Mr. Chairman: Thank you very much. Miss Ameen.

Miss Ameen: My other question, Mr. Chairman. On the last occasion you were here, the police had advised the Committee that people who wish to sell fireworks, they had to make an application to the court. Does the police work with the Magistrates' Court to keep track of the number of applicants for these retail licences, and is there a database of information of these persons who are seasonal retailers? You have the well established, like Mr. Abraham and FireOne Fireworks, but you have those people who do it seasonally and they make applications to the Magistrates' Court. Do you receive that information as a matter of procedure and then do you follow up in terms of inspecting the premises that those people will be retailing at?

Mr. Dulalchan: The police will in fact have information as to who would have applied for retail licences and part of the requirement is to check to ensure that they do in fact have what is required. And as I already alluded to, those licensed places are in fact visited.

Miss Ameen: Are those places visited by the fire service as well? By the fire officers.

Mr. Wilson: Yes, a copy would come to the fire service. We would get the document from the Ministry and then pertaining to the courts. So after our inspection we would submit a document to the court stating whether they have met the standard or whether we object to them being granted a licence.

Mr. Chairman: Have you ever inspected premises and rejected it? I mean, offered your own position with respect to, that a licence should not be accepted.

Mr. Gopaul: We have closed down the Government's bunker for two months already.

Mr. Chairman: And when was that?

Mr. Gopaul: About two years ago.

Mr. Chairman: What was wrong with it? Could you indicate what was wrong with it?

Mr. Gopaul: Everything, Sir, everything in terms of a fire hazard.

Mr. Chairman: Okay. Everything—a fireman knows everything that can cause a fire—

Mr. Gopaul: Yes, Sir.

Mr. Chairman: If it is a government bunker it was supposed to be designed for the purpose.

Mr. Gopaul: It was designed but then there was a degree of “non-proper” housekeeping and then it just went away.

Brig. Gen. Antoine: I would like to ask two questions. One dealing with the first hearing, that we recommended that a current inventory of the fireworks be taken. I want to know if any—if that inventory was done and also is there a breakdown in terms of active and expired fireworks? Do we know out of the inventory of fireworks what percentage is active, what percentage is expired and if any expired fireworks are getting onto the market, being sold on the market? That is the first question.

The second one deals with the firecrackers. Scratch bombs and firecrackers are illegal in terms of Trinidad and Tobago. Is any of this getting onto the market, being sold by retailers? In terms of the firecrackers, the police have the authority to seize the firecrackers and enter premises in order to do it. Is that being done as the case may be?

Mr. Dulalchan: With respect to the firecrackers, once that information does in fact come to hand, the police take the required action.

Mrs. Newallo-Hosein: How is it disposed of? Has any ever been seized and if yes, how are they disposed of?

Mr. Dulalchan: From my recollection I know for a fact over the years from time to time those firecrackers are in fact seized. In terms of disposal, I am not in a position to say at this point in time.

Brig. Gen. Antoine: The first question was the inventory. Do we know, in terms of fireworks and if we have any old fireworks that have expired and if that is getting onto the market?

Mr. Dulalchan: I would not be able to say that in relation to those outlets and those warehouses. I would not be able to say.

Mr. Chairman: Mr. Dulalchan, I come to the issue of the police canine unit and I am going to link it to what the matter is here. The police of Trinidad and Tobago in the past, I do not know if

they currently have a canine unit. But the police officers who are in that unit are very well versed in dealing with animals like dogs and pets. So the technical capability has existed in the past in the police force. The Summary Offences Act has indicated that the cruelty to animals clause is one that is in existence since the 1950s.

What I would like to know is, is the police now in a position to respond to individuals who complain that their pets are at risk because of the adverse consequences of fireworks? We took evidence from the Veterinary Association of Trinidad and Tobago prior, indicating that these explosive devices are multiplied many fold when in the ear of an animal because their hearing is so acute. Are you in a position to take a complaint from a pet owner and to visit and then ensure that the devices being exploded around are causing harm to this particular pet and therefore you can lay charges to people who are exploding devices outside the 60-foot area, because of now the adverse consequences on animal health and welfare? Have you given thought to that or do you think that the police can enforce that section of the Summary Offences Act?

Mr. Dulalchan: So well, I just want to say that we do in fact have a well-established canine unit—

Mr. Chairman: Excellent.

Mr. Dulalchan:—and they are in fact doing a tremendous job for us as an organization and as a country. I think the important thing here is whether or not we can get the collaboration from the persons who in fact report to the police. I think that is really the issue. Except if we may now probably have to take the dogs and whether they have the capacity to go and actually smell around the environment to determine whether or not fireworks were in fact discharged at a particular location and then probably take the measurement and so on.

It will in fact be cumbersome, but it is something that we can probably look at. We may not be able to do that in all the cases, but just to probably see how best we can probably look at all the various variables that are afforded to us to really see how we can assist in this regard.

Mr. Chairman: Very well. I have read the Summary Offences Act and I have looked at the need of the police for scales and the police for measuring tape. But when I looked at the section of the Act which dealt with distress to animals it just meant that police in its own deliberations, its own rationale, having determined that someone is causing harm to animals can take action, legal action. The fine is small, \$400, but the power of the police is there to ensure.

Now, of course, the reason I raise the canine is that the majority of the pet population may be dogs, but we are talking about other types of pets as well. But the canine unit I think is a place

to start and I think if the police canine unit can give consideration to distress to dogs, because I am sure, no police officer who is working with one of his working dogs would want to see that particular dog in a situation where he is being totally destroyed by the excessive noise and by noise pollution.

So I think that level of technical expertise exists within your organization. I think that you should consider it at the level of planning, how you would look at that expertise and apply it to the regular population so that someone from the—if I have made a complaint, someone from the canine unit can simply come and say, okay, I think these dogs are in real serious distress and I am going to lay a charge to the people who are causing harm to this animal. The law gives you that power.

While we are looking at various changes to the legislation I think we have to work within the laws which currently exist and the laws which currently exist give the police powers, maybe not wide powers, but the police certainly are empowered and I think the population ought to know about it. Any other questions from the Committee?

There is also, again, from the perspective of the EMA, Mr. Abraham, there is a growing population of retired persons in Trinidad and Tobago. We have to understand the demographics of Trinidad. We do have an ageing population. When we look at the population statistics we see that every year more and more persons enter the above-60 rank. When we look at the geriatric statistic, more and more people are entering the 80-plus ranks. People are living longer, they are the retirees. These retirees are also people with pets. Perhaps the pet is the only companion that they have and we are, as a responsible Parliament, looking at the welfare of the population, 60 plus to retire—the babies in Trinidad and Tobago who cannot complain and the pet population because we have a situation, we understand Mr. Abraham's position where he started with carbide and bursting bamboo.

There are some people who like noise and there are other people who find it abhorrent. We are striking a balance. How can those people who like the noise enjoy the celebrations by minimizing the harm to the people who are adversely affected? The police come in, the EMA comes in, the fire service comes in, the Ministry of National Security comes in. So we will be looking carefully to see to what extent we can ensure that, at least on this occasion while we are looking at the law, the population will be behaving responsibly. Well I thought we had exhausted, but Brig. Antoine has a question.

Brig. Gen. Antoine: Well it is more a statement than a question. This is the third hearing that we are having on fireworks and in previous hearings we made certain recommendations that we need to have a collaboration between the various agencies. And I get the impression that is not happening because there is no lead agency. I believe that has to be the responsibility of the Ministry of National Security because they are the ones who are dealing with, in terms of the fireworks and so forth. So I think there is a need in our future recommendations that some agency or some person in the Ministry of National Security becomes the lead person in dealing with this situation, because the fireworks are detrimental to the health of both humans and animals in Trinidad and Tobago and they need to be regulated.

Miss Ameen: Chairman, before we wrap, on the last occasion, I think earlier this year, the EMA indicated that they were considering some amendments to the noise pollution control rules to treat with various sources of sound and including sound from fireworks. And I want to ask, what is the status of the revision of those rules and if the EMA can indicate if you have had any consultations, who you would have had consultations with, and if you intend to continue this process in terms of consulting so that the public and interested NGOs and individuals can contact you to be a part of that revision of the rules? And if you have started this process, do you have any recommendations coming out thus far? If you could just update us on the status with the update of the noise pollution control rules.

Mr. Romano: We have started internally the process of the revision of the rules. A number of items we feel need to be done almost immediately and no, we have not, in terms of the noise rules, we have not done any public consultations or consultations with other agencies this year. We are doing the draft in-house before we go out to do any consultations.

Miss Ameen: So you intend to and members of the public could look forward to participating in those when you advertise them?

Mr. Romano: Of course, we will have—like we did with the National Environmental Policy, we will also have consultations in terms of the noise rules.

Mrs. Newallo-Hosein: Mr. Romano, in your earlier statement you indicated that you are going to embark on a programme and by January you would have a report for us. Can you remind us what that report is about?

Mr. Romano: The report will be the EMA's recommendations based on what we see in other jurisdictions for the way forward for Trinidad and Tobago with fireworks. So it will actually be

recommendations, having looked at other jurisdictions in what we the EMA feel should happen with fireworks, including options.

Mrs. Newallo-Hosein: And you are going to include any other stakeholders while you are proposing these recommendations?

Mr. Romano: The report will be sent to the stakeholders here and I am saying, the government agencies first to review before we put it outside to anybody else.

Mrs. Newallo-Hosein: And what timeline can we expect that report to come to us?

Mr. Romano: We are saying that we should have, the report should be submitted to the various agencies: the fire service, police, customs by mid to end of January because it is nearly completed.

Mr. Chairman: Thank you very much. We have reached a time close to 12 where we can begin to conclude. I will have the final say as Chairman, but I will ask the representatives after this almost hour and a half period of hearing to offer brief closing remarks to the Committee; and again I would start from where I began with the Ministry of National Security, fire service, police, EMA and I will have Mr. Abraham be given the last word from the panel.

Ms. Rahamut: Thank you, Chair. The discussions this morning have been very useful to us at the Ministry of National Security. The recommendations put forward will be able to assist us in charting our way forward on how to treat with some of the issues that have been raised here today. And with respect to the recommendation made by the Committee member about the collaboration at the Ministry, I undertake to go back and speak to my principals about what can be done. But that would be in relation to what the Ministry is responsible for under the legislation. At this point in time it is with respect to imports. When it comes to enforcement those agencies need to have a discussion amongst themselves as to how they would be treating with that aspect.

Mr. Chairman: Thank you very much. Fire service.

Mr. Gopaul: Thank you, Mr. Chairman. It is really a pleasure to be part of this because we are seeing fruit for a concern that we have had for the longest while. And I was speaking earlier to the legal officer at the Ministry and she said that she is aware that there was a committee before on fireworks and related materials, but that has been, maybe, mothballed for a while but this is a continuation of it and we hope this time we will see legislation to allow us to enforce and to really have a safe environment.

Having said that, on behalf of the Chief Fire Officer and all the members of the fire service, let me wish you and members of the JSC and all the stakeholders here a happy and holy Christmas and a

bright and prosperous productive 2018. Thank you.

Mr. Chairman: Thank you. And a quiet one too. [*Laughter*]

Mr. Dulalchan: We would really love it to be quiet, Sir. But just to indicate, it is always refreshing coming here. Sergeant Ali, our acting Inspector, who is the head of legal is here and I think it is important for us really to go back and see how we can probably, whatever existing law there is, how we can not only try to enforce but probably try to make the general public aware. So there are in fact some novel ideas that came from your good self and it is something that we would really seriously look at and embrace as we really try to see what we can do with this scourge that is really a menace to our society. I thank you.

Mr. Chairman: Thank you very much, police. EMA.

Mr. Romano: Chairman, members of the Committee, thank you for inviting us. I mean, this has been a rewarding morning for us. Thank you for your comments and your recommendations. We will take them on board. Again, I want to urge you, all Members of Parliament and the general public, to look at the National Environmental Policy. This is the National Environmental Policy of Trinidad and Tobago. It is not the EMA's National Environmental Policy. The EMA is only facilitating the process. Today is the closing day for comments. So please, we urge you to go on our Facebook page or www.ema.co.tt and please send your comments. Again, we will continue to support all the agencies with respect to fireworks and we look forward to something positive in 2018.

Mr. Chairman: Thank you very much, EMA. Mr. Abraham, FireOne Fireworks.

Mr. Abraham: Thank you, Mr. Chairman, for allowing me to be here today to contribute to this important topic. Trinidad and Tobago is just 55 years old compared to the US and some other European countries that are 255 years old. We have laws that go back 100 years that need to be, in my opinion, repealed—if that is your word—repealed and rewritten and re-presented. And I definitely think the Explosives Act, the law governing fireworks in Trinidad and Tobago, needs to be looked at.

We do not have to reinvent the wheel, it has already been done in Europe and in the US. We just have to bring it, have a committee discuss it, make our suggestions and then put it in Parliament. And it is very similar to the speed limit of 80 kilometres. When that law was created we had different types of cars and different types of roads and it is the same with the fireworks industry. We have different types of fireworks as we do have different types of cars. And I think

once we give people the right guidelines and tracks to run on, Trinidadians and Tobagonians are very—they will comply and they will fall into line.

We of our own have made our recommendations to use fireworks on specific days and specific times and as I said before, this is a carbide business that turned into a fireworks business. We do not just sell fireworks in our company. We sell positivity and some of you all might see it as a menace, but for us our job is really to make positivity louder not quieter.

Mr. Chairman: Thank you very much.

Mr. Abraham: And also, Mr. Chairman, we, as you know, fly the largest national flag in Macoya. And when you pass on your way to the airport we force you to look up. The same with our products, we force people to look up.

Mr. Chairman: Excellent advertising. [*Laughter*]

Mr. Abraham: We know all year we are looking down, so this is not just us making money. We have a responsibility to Trinidad and Tobago.

Mr. Chairman: Very good. And let me now summarize what I, and I imagine my colleagues in the Committee who have worked very hard with me during the course of the year to defend the public interest, have gleaned from this hearing. From Mr. Abraham I got it very clear that there is a need for judicious use of the items that he sells. There is a need for regulations. The regulations now certainly do not exist and therefore people can buy the items and set them out whenever they wish to the unexpecting public.

And I think, from what I gathered from Mr. Abraham, that he is amenable to an industry where individuals who purchase these items, say for Old Year's Night, will be given between 11.30p.m. and 12.30 p.m. to have your celebration in a full hour and explode as much as you want. People are advised that this is the celebratory hour where they can look up and not down and they can celebrate with Mr. Abraham, we understand.

So I understand your position with respect to regulation. It is something we have to be looking at, because a good bit of the problem arises when these items are exploded to the unsuspecting public. They are taken unawares, they are taken by surprise and the amount of lost pets, pets who have been killed on the highways and so on, because people did not have the time to take evasive action, can in fact be minimized or even eliminated once we know that fireworks hour is 11.30 to 12.30 on Old Year's Night. So the need for regulations is very important. We need to be looking at the regulations and we look forward to whatever other advice you can give

the Committee so that we can regulate the use of this particular product and the individuals who like to celebrate can celebrate in a controlled environment.

The EMA has given us the assurance as the technical agency armed with the scientific officers, the research officers, will do some testing of decibel levels on an active night. I recommend Old Year's Night. Also air quality, whether you can test the quality. If you cannot test the quality certainly you have the meters, the calibrating mechanisms for noise. You will be able to indicate to the Ministry of National Security which granted that singular licence, I imagine for a decent amount of fireworks, what the noise level was like?, What the harm to the population could potentially be from this amount of fireworks in a concentrated environment, so that the Ministry of National Security will act with scientific information. Right now we are not getting it clear whether the Ministry of National Security has made overtures to another arm of the State to make an informed decision.

The police, now we know, will walk around with tape measures and they do walk with tape measures for accidents, but I know that they should also walk with some scales because you see what the law says is that the police can—and the law given to me:

“40. (1) A police officer may at any time when such premises are open for business,” —that is the Miscellaneous Provisions of the Explosives Act, the police have wide powers, you know—

“enter the premises of any wholesale or retail dealer and inspect all explosives in the stock of the dealer and the receptacles in which the same may be stored, and also inspect the books kept by any such dealer under this Act, and take a copy of any entries in any of such books.”

And then it says:

“(2) Any such dealer who refuses to allow the inspection to be made or copy to be taken, or obstructs any police officer while making the inspection or taking the copy, is liable to a fine of one thousand dollars.”

So that the police can come with their blue lights, go and check out all those who are vending, take your scales, measure. The law does not say only about that black powder you talk about, you know, it says explosives. Once, in my mind, the police officer is of the view that something is an explosive he can check.

You see, I think it is important for the police to show a presence. We see police when people are

being killed, when there is accident and so on, but I think it is important for there to be a police presence so that the population out there will know that the police officers are keeping an eye on this activity and that there are laws which can be enforced. I also think that the canine unit of the police service can in fact be used to look at animal rights and animal welfare.

12.05p.m.

I would imagine that any police officer who is in the canine unit would have a deep interest in animal welfare, and I think that is a nucleus to start from so that that aspect of the Summary Offences Act can begin to be enforced. But the population must know that the police officers have the power to arrest people who are causing harm to animals.

The fire service has done its inspections. The fire service has given us its recommendations for legislative changes and we know that the Ministry of National Security will be looking at how, in fact, the agencies can be coordinated, so that in an environment—you see, it is not as if the population is complaining unnecessarily. In an environment where more and more people are entering the 60-plus ranks and more and more people are pet owners, we need in the Parliament to give due regard to their welfare and how we could control and mitigate their distress while others are celebrating.

As I conclude—it is 12.06. I am six minutes past the time I wanted to conclude, but as I conclude, I would like to thank all members of the panel who will work assiduously during the month of December, including Mr. Abraham, who will advise all his customers that they must use these items judiciously, so that there can be a live-and-let-live attitude and they must be considerate of their neighbours, and of the neighbours' pets so that there can be celebration throughout the land for all. There cannot be celebration for one and distress for others.

I want to thank all members of the panel for being here. It was a very lively meeting and we know that there is much more to do but this issue is not going to disappear. You could be sure that you will be invited periodically when the mayhem is not abating. You will not be invited when the problem has been solved, but it will be kept alive. It is an issue in the general population. I want to thank members of the Committee who have worked with me, the Chairman, during the course of the year to look at all social issues in Trinidad and Tobago. I am deeply grateful to them for being here.

I want to thank members of the Secretariat staff. You hardly see the Secretariat but they are the ones who provide all the research material which enables us to undertake enquiries of a manner

which will defend the public interest. The media, the Parliament staff, I would like to say thank you at this time and I want to wish everyone a merry Christmas, holy Christmas, happy holidays and let us, on this occasion, as citizens ensure that while we celebrate, we are considerate of the harm we may be doing to others and we seek to control it at this time.

So I want to adjourn this meeting. I thank you all for being here and I thank our loyal listeners and viewers and I also invite all members of the public who have been following us, if they have recommendations of their own, please send it to the Secretariat so we could continue the work of defending the public's interest. I thank you and have a good afternoon.

12.08 p.m.: *Meeting adjourned.*