



Summary of Proceedings

Public Hearing

Joint Select Committee on Social Services and Public Administration

Held on Wednesday April 19, 2017

[10:35 a.m. to 12:24 p.m.]

Inquiry: An inquiry into the adverse health effects of fireworks

Objectives of the inquiry

The objectives of the inquiry are:

- 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.**

Venue: The A.N.R 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.

Committee members

The following committee members were present:

1. Dr. Dhanayshar Mahabir – Chairman
2. Mr. Esmond Forde, MP – Vice-Chairman
3. Brig. Gen. (Ret.) Ancil Antoine, MP

4. Mrs. Christine Newallo-Hosein, MP
5. Mr. Rohan Sinanan
6. Ms. Ayanna Lewis

Witnesses who appeared

The following officials of the Ministry of Agriculture, Land and Fisheries (MALF), the Environmental Management Authority (EMA), the Animal Welfare Network (AWN) and the Trinidad and Tobago Veterinary Association (TTVA) appeared before the Committee:

Ministry of Agriculture, Land and Fisheries (MALF)

- i. Mr. Claudelle Mc Kellar – Deputy Permanent Secretary
- ii. Dr. Michelle Mellowes – Deputy Director, Animal Production and Health Division
- iii. Mr. Dirk Ramdin – Senior Legal Officer, Legal Service Unit

Environmental Management Authority (EMA)

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

Animal Welfare Network (AWN)

- i. Ms. Patricia Green – Chairman
- ii. Ms. Sita Kuruvilla – Committee Member

Trinidad and Tobago Veterinary Association (TTVA)

- i. Dr. Nicholas Mackenzie – President
- ii. Dr. Sabrina Thomas – Board Member

Key Issues Discussed

The following are the key subject areas/issues discussed during the hearing:

Issues discussed with the Ministry of Agriculture, Land and Fisheries

- i. the failure of the Ministry to exercise its responsibilities with reference to the health and protection of animals as it concerns the improper use of fireworks. According to the Gazette¹, the Ministry is responsible for *inter alia* “Animal Health and Protection”. Currently, the Ministry only exercises its responsibility as it relates to importation and disease control of animals for food production purposes;
- ii. the need for collaboration between the MALF, EMA and relevant NGOs with reference to the protection and health of the animal population;
- iii. the need for the Ministry to assume greater responsibility as it concerns the adverse health effects of fireworks on animals and livestock;
- iv. the lack of data and reports on injuries caused to animals and livestock by the discharge of fireworks and related explosives ; and
- v. the need for greater enforcement of the legislative framework as it pertains to Animal Health and Protection and the improper use of fireworks.

Issues discussed with the Environmental Management Authority (EMA)

- i. the EMA contends that the regulation of the use of fireworks is not under its remit, primarily because there are other public entities with the legal standing to deal with this issue such as the TTPS. This assertion was made despite the fact that fireworks contribute to noise and air pollution.
- ii. There is a need for fireworks to be categorised/designated as a source of noise and air pollution. Furthermore, that it should fall under the remit of the EMA;
- iii. the need for studies to be undertaken by the EMA’s Noise Advisory Council with reference to the decibel level emanating from the use of fireworks and its effects on the animal population;
- iv. the need for studies to be conducted by the EMA with reference to the chemicals contained in fireworks and pollutants associated with the use of fireworks. 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 which are toxic to human health;

¹ Gazette Publication dated Wednesday 23 September 2015, No.97 Vol. 54,

- v. the need for provisions to be made in the Environmental Management Act and Noise Pollution Control Rules as it relates to use of fireworks;
- vi. the need for greater enforcement of the current legislative framework with regards to the regulation of the use of fireworks. There is a lack of resources available to enforce the EMA Act and the Noise Pollution Control Rules. There is therefore an urgent need to increase the EMA's policing powers as it relates to the regulation of the use of fireworks. Currently, the EMA has a Police Unit which is tasked with the responsibility of addressing complaints made;
- vii. the need for greater collaboration between the EMA and other State Agencies such as the Ministry of National Security and the Ministry of Agriculture, Land and Fisheries, to address issues pertaining to the improper use of fireworks;
- viii. the need to increase the 60 feet radius for the discharge of fireworks away from residential communities to 120 feet;
- ix. the need for an increase in the fines associated with the illegal use of fireworks and explosives;
- x. that a greater role should be undertaken by the EMA as it concerns the application and granting of licences to import and sell fireworks;
- xi. there appears to be an under reporting of the improper use of fireworks as only 5 formal complaints have been recorded over the past 5 years by the EMA; and
- xii. the need for greater collaboration between the EMA, TTVA, AWN and other related NGOs with reference to educating the public on the adverse health effects associated with fireworks (and related explosives) and the harmful effects on the animal and pet population.

Issues discussed with the Animal Welfare Network

- i. there has been a notable increase in the number of fireworks related injuries to the animal and pet population;
- ii. There have been instances where animals were hit by cars. In some instances these collisions caused fatal injuries to humans;
- iii. the occurrence of malicious acts of cruelty against animals and pets. There have been reports of fireworks being used to inflict harm upon the animal population;
- iv. no arrests have been made with reference to Sections 78 and 79 of the Summary Offences Act as it relates to animal abuse;

- v. the use of fireworks within residential communities account for the majority of fireworks related injuries to the animal and pet population; and
- vi. the lack of agencies to enforce animal protection as it relates to the improper use of fireworks.

Issues discussed with the Trinidad and Tobago Veterinary Association

- i. the noticeably sharp increase in the pet population in Trinidad and Tobago and the commensurate importance families place on their pets;
- ii. the alarming increase in reports of injuries to pets and animals as a result of the discharge of fireworks and related explosives;
- iii. The highest incidence of fireworks related injuries to animals occurs during celebrations such as Diwali and New Year's;
- iv. the main types of fireworks related injuries to animals :
 - Distress and fear;
 - Physical injuries such as broken limbs, cuts and bruises as an result of jumping over fences and windows during fireworks displays in communities;
 - Malicious injuries- there have been reports of persons using fireworks to harm and injure animals, for example placing scratch bombs on and in the mouths of animals; and
 - Death caused by collisions with vehicles due to distressed and fearful venturing on streets and roads.
- v. that exposing animals to fireworks is a form of animal abuse;
- vi. the need to prohibit residential use of fireworks;
- vii. scratch bombs as the main cause of fireworks related injuries to animals and pets; and
- viii. the need to educate and create public awareness on cruelty against animals and the adverse health effects of fireworks on the animal population.

Recommendations proffered during the Public Hearing

The following recommendations emanated from the discussions:

- i. that greater roles be undertaken by the MALF and the EMA with reference to regulating the use of fireworks;
- ii. that studies be conducted on the pollutants associated with the use of fireworks as it relates to noise and air pollution;

- iii. 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 Offenses Act;
- iv. that a unit be assigned within the TTPS to deal with animal cruelty;
- v. that the current legislative framework governing the regulation of the use of fireworks be enforced;
- vi. that fireworks be restricted to particular times and locations in order to give pet owners ample time to secure animals;
- vii. that the EMA's Policing Unit be expanded to handle matters related to noise and air pollution caused by fireworks use;
- viii. that amendments be made to the Environmental Management Act and the Noise Pollution Control Rules to accommodate the use of fireworks;
- ix. that chemical tests be conducted on fireworks; furthermore that the EMA conduct testing of air quality during the discharge and burning of fireworks;
- x. that there be collaboration between the EMA, MALF, AWN, TTVVA and other agencies to address issues associated with the use of fireworks;
- xi. penalties and fines associated with animal cruelty and illegal use of fireworks should be increased;
- xii. that the 60 feet demarcation for the discharge of fireworks away from residential premises be increased to 120 feet;
- xiii. 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, as well as animal cruelty; and
- xiv. that the use of soundless fireworks during celebrations be considered.

View the Hearing

The hearing can be viewed on our YouTube channel via the following link:

<https://youtu.be/N-Vp2gpgnUA>

Contact the Committee's Secretary

jscspa@tparliament.org or 624-7275 Ext. 2283

Committees Unit

April 21st, 2017

*Joint Select Committee on Social Services and Public Administration
(Including Education, Health, Gender, Tourism, Public Administration, Labour, Culture,
Community Development and other Social Services)*
