

TERMS OF REFERENCE

Consultancy for the review, modernization and expansion of Saint Lucia's Explosives Act and treatment of Explosives to update the national framework.

1. BACKGROUND

Saint Lucia's current Explosives Act was initially passed in 1899 and last amended in 1964. The Act is outdated and narrowly focused on the importation and storage of gunpowder and manufacture of explosives. It does not adequately account for the broader spectrum of explosives, including ammunition, fireworks, and other explosive materials used for industrial, entertainment, agricultural, and security purposes. The expanded legislation must account for public safety, national security, emerging technologies, and sustainable development goals.

This Terms of Reference outlines the scope of work for a consultant or consortium to lead the revision of the Explosives Act into a modern regime addressing all facets of the use of explosive substances. The goal is to create a modern, comprehensive, and evidence-based legal framework that addresses public health and environmental and other safety concerns, supports responsible management of these regulated substances, and fosters national security. The process will include a legal review, market analysis, risk assessment, and a comparative policy analysis to result in the development of a feasibility study and policy framework. The updated legislation will address regulatory gaps, modernize outdated provisions, and promote a balanced approach to regulation while supporting public safety, national security, and economic development where applicable. The revision will be informed by data analysis, market studies, international best practices, and Saint Lucia's cultural and legal context. The outcome will be a robust legal and policy framework for regulating explosives, ammunition, and fireworks in a manner that aligns with international best practices and facilitates safe commercial, industrial, and recreational use of explosive materials whilst balancing national development, security, and safety.

2. OBJECTIVE AND SCOPE OF SERVICES

2.1 OBJECTIVE

The Government of Saint Lucia, through the Regulated Substances Authority (RSA), seeks the services of a qualified firm or consortium to:

- a. Revise the Explosives Act to encompass a broad range of explosives including but not limited to ammunition, fireworks, industrial explosives, and pyrotechnics.
- b. Benchmark the legislation against international safety, transport, storage, licensing, and use standards for explosives.
- c. Develop a comprehensive Explosives Policy Framework for Saint Lucia that:
 - Supports public safety and national security.
 - Promotes regulated commercial use (e.g. mining, construction, fireworks).
 - Facilitates lawful recreational use with appropriate controls.
 - Ensures transparency and accountability in handling, use, import/export and licensing.
- d. Provide recommendations on licensing, safety standards, revenue generation mechanisms, enforcement, penalties, and public education strategies.

2.2 SCOPE OF SERVICES

- a. Inception Report
 - Scope, methodology, stakeholder map, and work plan.
- b. Legal and Policy Review
 - Review of existing Explosives Act and related laws.
 - Comparative analysis with Caribbean and international Explosives Acts.
 - Identify legal and institutional gaps.
- c. Explosives Framework Development
 - Define categories: military, industrial, consumer (e.g. fireworks), agricultural.
 - Develop licensing, storage, handling, and transportation standards.
 - Draft classification and control mechanisms for each explosives type.
- d. Risk and Feasibility Assessment
 - Assess public safety, security, and economic implications.
 - Identify institutional capacity and infrastructure needs.
- e. Implementation Plan
 - Draft roadmap for legislation roll-out.
 - Outline training, communications, and enforcement mechanisms.
 - Recommend structures for coordination among security, customs, fire, and public health agencies.

3. METHODOLOGY, DELIVERABLES AND EXPECTED OUTCOMES

- a. Desk Review and Legal Research
 - Review national laws and regulations governing explosives.
 - Conduct comparative legal analysis with other jurisdictions.
- b. Stakeholder Consultations
 - Engage law enforcement, customs, fire service, importers, fireworks retailers, and public health authorities.
- c. Legal Drafting and Policy Development
 - Develop a policy framework to inform the revision of the industry and draft of a new Explosives Act and supporting regulations.
 - Prepare related policy guidance and standard operating procedures.
- d. Implementation Planning
 - Prepare phased implementation roadmap.
 - Develop institutional training modules and public awareness campaign.

4. INTELLECTUAL PROPERTY

Any intellectual property created as a direct result of this engagement shall be the exclusive property of the Regulated Substances Authority including copyrights, patents, and registered trademarks.

5. REPORTING REQUIREMENTS

The engaged person(s) or company shall report to the Chief Executive Officer (CEO) and Chief Technical Officer of the RSA. They shall reserve the right, within reason, to request such alternations or modification to the deliverables as may be required to ensure the deliverables meet the expected outcomes.

6. DURATION

The consultancy is expected to be completed within 16 weeks from the date of contract execution.

7. QUALIFICATIONS AND EXPERIENCE

The ideal team will demonstrate:

- i. Expertise in explosives safety regulation, law enforcement, or public safety law.
- ii. Experience drafting legal instruments related to dangerous goods or hazardous substances.

- iii. Proven background in policy and legal reform.
- iv. Knowledge of international treaties, conventions, and safety standards.
- v. Familiarity with Saint Lucia's legal and institutional context.

8. EVALUATION CRITERIA

- Technical qualifications and team expertise
- Quality of proposed methodology
- Cost-effectiveness of proposal
- Relevant experience in similar jurisdictions

9. SUBMISSION GUIDELINES

Proposals must include:

- Cover letter
- Proposal including qualifications, CVs, and team structure
- Detailed methodology and workplan
- Budget breakdown
- Relevant past work or references

Proposals should be addressed:

" EXPLOSIVES ACT REGULATION FRAMEWORK "

To:

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Regulated Substances Authority
Bisee Industrial Estate.
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Deadline Date:

Monday August 11 , 2025