



Persatuan Pengguna Pulau Pinang Consumers Association of Penang

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Press Release

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FIRECRACKERS AND ILLEGAL FIREWORKS ARE STILL IN THE MARKET

The Consumers' Association of Penang (CAP) has repeatedly called for a strict enforcement of a ban on firecrackers/fireworks for more than 20 years but these calls have fallen on deaf ears.

While we are struggling just to enforce the law, more than 40,000 people signed a petition calling for a new law to ban the public use of fireworks in the United Kingdom (UK). Their reasons are that fireworks cause "alarm, distress and anxiety" to "many people and animals".

Currently a person violating the fireworks legislation will be fined £5,000 (RM 27,125) or a jail sentence of six months under the U.K. legislation.

The situation is so different from Malaysia. The sound of firecrackers and fireworks can still be heard whenever there is the slightest hint of a festive season although they have been banned under the Explosives Act 1957 (EA 1957) for decades.

Section 4 (2) of the Act stated that "Any person manufacturing, possessing or importing any explosive in contravention of a notification issued under this section shall, on conviction, be liable to imprisonment for five years, or a fine of ten thousand ringgit, or to both."

The Consumers' Association of Penang (CAP) calls for the amendment of the Act to ensure that a person convicted of manufacturing, possessing or importing of explosives be given a mandatory prison term and confiscate the vehicles in which the firecrackers/fireworks are found.

We urge maximum penalties to be meted out on importers, retailers, and whoever in possession or play with firecrackers/fireworks to show that the Royal Malaysian Police and the Customs really mean business. Otherwise the sentences passed down is viewed as ineffectual.

As for the availability of firecrackers/fireworks in the country, it was reported in 2016 that they have been smuggled across the country's border with "corruption at official entry points". Besides being sold by retailers they can also be ordered via viral messaging applications.

In 2016, the former IGP Tan Sri Khalid Abu Bakar had sternly warned that parents caught buying or allowing their children to play with firecrackers will face a seven-year prison term. We would like to know if this punishment had been carried out and how many parents are serving prison sentence last year.

The blatant violations of EA 1957 for the past decades reflect the emasculated will to implement what had already been passed by the Parliament. We wonder when the firecrackers/fireworks ban under the EA 1957 will be taken seriously rather than be seen as formulating laws for half-hearted implementation.

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