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# COMMISSION OF ENQUIRY

# INTO

**ALL OF THE CIRCUMSTANCES WHICH LED TO THE TRAGIC INCIDENTS WHICH OCCURRED ON FRIDAY FEBRUARY 25, 2022, AT FACILITIES OWNED BY PARIA FUEL TRADING COMPANY LIMITED, LOCATED AT NO. 36 SEALINE RISER ON BERTH NO. 6, POINTE-A-PIERRE, WHICH LED TO THE DEATHS OF FOUR (4) EMPLOYEES OF LMCS LIMITED.**

**REQUEST FOR STATEMENTS**

In accordance with Section 2 of the Commissions of Enquiry Act, Her Excellency Christine Kangaloo, Acting President of the Republic of Trinidad and Tobago has appointed a Commission of Enquiry to enquire into the tragic incidents which occurred on Friday February 25, 2022 at facilities owned by Paria Fuel Trading Company Limited, located at No. 36 Sealine Riser on Berth No. 6. Pointe-à-Pierre, which led to the deaths of four (4) employees of LMCS Limited.

In this regard, members of the public are invited to submit written statements and any supporting documents relevant to the Commission’s Terms of Reference, which are-

1. To enquire into:
2. the circumstances which led to the tragic incidents which occurred on Friday February 25, 2022, at facilities owned by Paria Fuel Trading Company Limited (“Paria”) located at No. 36 Sealine Riser on Berth No. 6, Pointe-a-Pierre which led to the deaths of four (4) employees of LMCS Limited (“LMCS”);
3. the scope of works issued by Paria for the underwater maintenance exercise on a 30-inch pipeline which LMCS’ divers were carrying out on Friday February 25, 2022 within a hyperbaric chamber at the said No. 36 Sealine Riser on Berth No. 6;
4. and ascertain the proposals and plans submitted by LMCS to conduct the works at the said No.36 Sealine Riser on Berth No. 6;
5. and examine generally the policies, procedures, practices and conduct relating to Paria and LMCS’ employees, organized and contracted labour for these types of maintenance exercises;
6. and identify the precise facts and circumstances which led up to and resulted in the loss of life and whether this was reasonable and justifiable in the particular circumstances;
7. and examine all of the decisions and actions taken after it became clear that the five (5) LMCS’ divers went missing;
8. and investigate the nature, extent and application of any standing orders, policy considerations, legislation or other instructions in dealing with the situation which gave rise to these incidents;
9. and identify whether Paria and LMCS had in place any lifesaving contingency plans in the event that life threatening incidents occurred and, if so, whether such or any plans were employed in response to these incidents; further, whether they employed sufficient safeguards and measures to ensure the safety of their contracted employees, property and the prevention of these incidents and to rescue the five (5) LMCS’ divers;
10. and determine the adequacy and mechanical integrity of equipment utilized by LMCS;
11. and determine the adequacy of LMCS’ plans utilized for the operation of the maintenance exercise;
12. and identify whether by act or omission any identified or unidentified person or entity directly or indirectly caused loss of life;
13. and examine the role played by Paria and LMCS through their respective units, individually and collectively in dealing with these incidents; and
14. and examine all other material circumstances leading up to and surrounding the incidents which took place on February 25, 2022 that led to the tragic deaths of the four (4) LMCS’ divers and continuing up to the recovery of their bodies.
15. To make such findings, observations and recommendations arising out of its deliberations, as may be deemed appropriate, in relation to:
16. whether there has been any breach of duty by any persons or entities;
17. whether there are any grounds for any criminal proceedings to be initiated against any persons or entities;
18. whether criminal proceedings should be recommended to the Director of Public Prosecutions for his consideration;
19. the appropriate and best practices and/or policies and/or procedures to be utilised by companies such as Paria and LMCS for the conduct of these types of maintenance exercises and in response to these types of incidents;
20. the policies, measures, mechanisms and systems that should be implemented to prevent the recurrence of the tragic incidents which occurred on Friday February 25, 2022 and continuing up to the recovery of the bodies of the four (4) LMCS’ divers; and
21. making any other recommendations that may be deemed necessary in the circumstances.

Written Statements with copies of any relevant documents together with the name, address and contact information of the person or organisation submitting the information should be sent to:

Ms. Sarah Sinanan

Secretary to the Commission

Southern Academy of the Performing Arts (SAPA)

Todd Street, San Fernando

Telephone: 1(868)709-5477

Email: commissionsecretariat@coe2022.com

Interested persons and/or organisations in possession of original documents ought to retain and preserve such original documents and submit copies to the Secretary of the Commission.

Note: The Commission will examine the information submitted and will make a decision as to whether the person submitting the information will be required to give evidence before the Commission.

The Commission is prepared to sit some evenings to ensure the participation of the families of the divers and members of the public.

**Closing date for Submission: Friday 12 August 2022 by 4.00 p.m.**

Dated Friday15th July 2022.