



THE
JAMAICA GAZETTE
SUPPLEMENT

PROCLAMATIONS, RULES AND REGULATIONS

1024A

Vol. CXLII

WEDNESDAY, OCTOBER 16, 2019

No. 136A

No. 210A

Extract from the Minutes of the meeting of the House of Representatives held on Tuesday,
October 15, 2019:

PUBLIC BUSINESS

The Most Honourable Andrew Holness, Prime Minister, having obtained suspension of the
Standing Orders, also moved:

THE EMERGENCY POWERS ACT

THE EMERGENCY POWERS (CONTINUANCE) (No. 3) RESOLUTION, 2019

WHEREAS by virtue of sections 20(1) and (2)(b) of the Constitution of Jamaica the Governor-General may make a Proclamation declaring that a state of public emergency exists if satisfied that action has been taken or is immediately threatened by any person or body or persons of such a nature and on so extensive a scale as to be likely to endanger the public safety:

AND WHEREAS the Governor-General was satisfied that a state of public emergency existed as a result of the aforementioned circumstances;

AND WHEREAS on the 30th day of April, 2019, the Governor-General by Proclamation declared that a state of public emergency exists in the entire area comprising the parishes of St. James, Hanover and Westmoreland, and further declared that the said Proclamation shall, unless previously revoked, remain in force for fourteen days or for such longer period, not exceeding three months, as both Houses of Parliament may determine by a resolution supported by a two-thirds majority of all the members of each House:

AND WHEREAS it is provided by section 20(3) of the Constitution of Jamaica that a Proclamation made by the Governor-General for the purposes of and in accordance with that section shall, unless previously revoked, remain in force for fourteen days or for such longer period, not exceeding three months, as both Houses of Parliament may determine by a resolution supported by a two-thirds majority of all the members of each House:

AND WHEREAS under the provisions of section 3(1) of the *Emergency Powers Act*, it is lawful for the Governor-General, during a state of public emergency, by order, to make Regulations for securing the essentials of life to the community:

AND WHEREAS the Governor-General, in exercise of the powers conferred upon him by section 3(1) of the *Emergency Powers Act*, made the *Emergency Powers Regulations, 2019*, for securing the essentials of life to the entire area comprising the parishes of St. James, Hanover and Westmoreland during the state of public emergency:

AND WHEREAS section 3(4) of the *Emergency Powers Act* provides that any Regulations so made shall be laid before the Senate and House of Representatives as soon as may be after they are made, and shall not continue in force after the expiration of seven days from the time they are so laid before the Senate and the House of Representatives, whichever shall be the later unless a resolution is passed by the Senate and House of Representatives, providing for the continuance thereof:

AND WHEREAS the *Emergency Powers Regulations, 2019*, were laid in the Senate on the 3rd day of May, 2019, and in the House of Representatives on the 7th day of May, 2019:

AND WHEREAS it was resolved by both Houses of Parliament that the state of public emergency as aforementioned remain and continue in force until the 28th day of October, 2019:

AND WHEREAS it is desirable that—

- (a) the state of public emergency declared as aforementioned remain and continue in force for a further period of three months until the 27th day of January, 2020; and
- (b) the *Emergency Powers Regulations, 2019*, continue in force until the expiration of the state of public emergency:

NOW, THEREFORE, BE IT RESOLVED by this Honourable House as follows:—

- (1) This Resolution may be cited as the *Emergency Powers (Continuance) (No. 3) Resolution, 2019*;
- (2) The state of public emergency declared by the Governor-General by Proclamation on the 30th day of April, 2019, shall remain in force for a further period of three months, until the 27th day of January, 2020;

- (3) The Emergency Powers Regulations, 2019, are hereby continued in force until the 27th day of January, 2020.

Dr. Peter Phillips, Dr. Angela Brown Burke, Rev. Ronald Thwaites, Mr. Horace Dalley, Mr. Colin Fagan, Mr. Fitz Jackson and Dr. Kenneth W. McNeill also spoke on the motion.

On the question that the motion be approved, and in accordance with section 20(3)(a) of the Constitution, the House voted as follows:

Ayes: N. Arscott; E. Bartlett; D. Brown; A. Brown Burke; L. Campbell; H. Chang; D. Chuck; H. Clarke; J. Cuthbert Flynn; H. Dalley; M. Dalrymple Philibert; N. Dunn; F. Ferguson; O. Grange; F. Green; M. Guy; L. Hanna; L.M. Henry; A. Holness; J. Holness; W.J.C. Hutchinson; G.A. Hylton; F. Jackson; M. Malahoo Forte; Z. Mayne; D. McKenzie; K. McNeill; R. Montague; P. Paulwell; M. Phillips; P. Phillips; J. Robertson; J. Robinson; S. Robinson; K. Samuda; A. Shaw; R. Spencer; M. Stewart; A. Terrelonge; C. Tufton; A. Vaz; Daryl Vaz; Dwayne Vaz; C. Warmington; F. Williams; F. Witter; Mr. Speaker — 47

Noes: Nil

Declined to Vote: Nil

Absent: R. Azan; L. Buchanan; P. Bunting; D. Campbell; N. Clarke; J. Daley; C. Fagan; M. Golding; I. Hayles; D. Kellier; N. Neita; R. Pickersgill; E. Redman; R. Thwaites; A. Wheatley; V. Wright — 16

I certify that the above is a true extract from the Minutes.

HEATHER E. COOKE, CD, JP
Clerk to the Houses.

No. 210B

Extract from the Minutes of the meeting of the Senate held on Wednesday, October 16, 2019:

PUBLIC BUSINESS

The Honourable Senator Kamina Johnson Smith, Minister of Foreign Affairs and Foreign Trade and Leader of Government Business, having obtained suspension of the Standing Orders, also move:

THE EMERGENCY POWERS ACT

THE EMERGENCY POWERS (CONTINUANCE) (NO. 3) RESOLUTION, 2019

WHEREAS, by virtue of sections 20(1) and (2)(b) of the Constitution of Jamaica the Governor-General may make a Proclamation declaring that a state of public emergency exists, if satisfied

that action has been taken or is immediately threatened by any person or body or persons of such a nature and on so extensive a scale as to be likely to endanger the public safety:

AND WHEREAS the Governor-General was satisfied that a state of public emergency existed as a result of the aforementioned circumstances:

AND WHEREAS on the 30th day of April, 2019, the Governor-General, by Proclamation, declared that a state of public emergency exists in the entire area comprising the parishes of St. James, Hanover and Westmoreland, and further declared that the said Proclamation shall, unless previously revoked, remain in force for fourteen days or for such longer period, not exceeding three months, as both Houses of Parliament may determine by a resolution supported by a two-thirds majority of all the members of each House:

AND WHEREAS it is provided by section 20(3) of the Constitution of Jamaica that a Proclamation made by the Governor-General for the purposes of and in accordance with that section shall, unless previously revoked, remain in force for fourteen days or for such longer period, not exceeding three months, as both Houses of Parliament may determine by a resolution supported by a two-thirds majority of all the members of each House:

AND WHEREAS, under the provisions of section 3(1) of the *Emergency Powers Act*, it is lawful for the Governor-General, during a state of public emergency, by order, to make regulations for securing the essentials of life to the community:

AND WHEREAS the Governor-General, in exercise of the powers conferred upon him by section 3(1) of the *Emergency Powers Act*, made the *Emergency Powers Regulations, 2019*, for securing the essentials of life to the entire area comprising the parishes of St. James, Hanover and Westmoreland during the state of public emergency:

AND WHEREAS section 3(4) of the *Emergency Powers Act* provides that any regulations so made shall be laid before the Senate and the House of Representatives as soon as may be after they are made, and shall not continue in force after the expiration of seven days from the time they are so laid before the Senate and the House of Representatives, whichever shall be the later, unless a resolution is passed by the Senate and the House of Representatives, providing for the continuance thereof:

AND WHEREAS the *Emergency Powers Regulations, 2019*, were laid in the Senate on the 3rd day of May, 2019, and in the House of Representatives on the 7th day of May, 2019:

AND WHEREAS it was resolved by both Houses of Parliament that the state of public emergency as aforementioned remain and continue in force until the 28th day of October, 2019:

AND WHEREAS it is desirable that—

- (a) the state of public emergency declared as aforementioned remain and continue in force for a further period of three months until the 27th day of January, 2020; and
- (b) the *Emergency Powers Regulations, 2019*, continue in force until the expiration of the state of public emergency:

NOW, THEREFORE, BE IT RESOLVED by this Honourable House as follows:—

(1) This Resolution may be cited as the Emergency Powers (Continuance) (No. 3) Resolution, 2019;

(2) The state of public emergency declared by the Governor-General by Proclamation on the 30th day of April, 2019, shall remain in force for a further period of three months, until the 27th day of January, 2020;

(3) The Emergency Powers Regulations, 2019, are hereby continued in force until the 27th day of January, 2020.

Senator Lambert Brown, Senator Charles Sinclair, Senator Damion Crawford and Senator Dr. Sapphire Longmore also spoke on the motion.

Senator Keith Knight having spoken for 30 minutes, the Honourable Senator Kamina Johnson Smith, Minister of Foreign Affairs and Foreign Trade and Leader of Government Business, moved for the suspension of the Standing Orders to enable him to continue his speech to its conclusion, notwithstanding the time limit on speeches.

Seconded by: Senator Wensworth Skeffery.

Agreed to:

Senator Matthew Samuda and Senator Donna Scott Mottley also spoke on the substantive motion.

On the question that the motion be approved, and in accordance with Section 20(3)(a) of the Constitution, the Senate voted as follows:

Ayes: R. Braham; P. Charles, Jr.; D. Crawford; S. Frazer-Binns; K. Gayle; A. Hill; K. Johnson Smith; S. Longmore; R. N. Morgan; K. Morrison; M. Samuda; D. Scott Mottley; C. Sinclair; W. Skeffery; D. Wehby; Mr. President — 16

Noes: Nil

Declined to vote: L. Brown; A. Haughton; K. Knight — 3

Absent: F. Morris; D. Williams — 2

Passed in the affirmative.

I certify that the above is a true extract from the Minutes.

HEATHER E. COOKE, CD, JP
Clerk to the Houses.

