



THE
JAMAICA GAZETTE
SUPPLEMENT

PROCLAMATIONS, RULES AND REGULATIONS

967

Vol. CCLI

WEDNESDAY, NOVEMBER 21, 2018

No. 130

No. 171

Extract from the Minutes of the meeting of the Honourable Senate held on the 19th day of October, 2018:

PUBLIC BUSINESS

(Senator Aubyn Rochester Hill, Deputy President, entered and took his seat.)

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

THE EMERGENCY POWERS ACT

THE EMERGENCY POWERS (CONTINUANCE) (No. 4) RESOLUTION, 2018

WHEREAS by virtue of section 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 of 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 18th day of January, 2018, the Governor-General by Proclamation declared that a state of public emergency exists in the parish of St. James 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, 2018, for securing the essentials of life to the parish of St. James 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, 2018, were laid in the House of Representatives on the 23rd day of January, 2018, and in the Senate on the 26th day of January, 2018:

AND WHEREAS it was resolved by both Houses of Parliament that the state of public emergency declared as aforesaid and the Emergency Powers Regulations, 2018, remain and continue in force until the 2nd day of May, 2018:

AND WHEREAS it was thereafter resolved by both Houses of Parliament that the state of public emergency declared as aforesaid and the Emergency Powers Regulations, 2018, remain and continue in force for a further period of three months until the 2nd day of August, 2018:

AND WHEREAS it was thereafter resolved by both Houses of Parliament that the state of public emergency declared as aforesaid and the Emergency Powers Regulations, 2018, remain and continue in force for a further period of three months until the 1st day of November, 2018:

AND WHEREAS it is desirable that—

- (a) the state of public emergency declared as aforementioned should remain in force for a further period of three months, until the 31st day of January, 2019; and
- (b) the Emergency Powers Regulations, 2018, 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. 4) Resolution, 2018.

2. The state of public emergency declared by the Governor-General by Proclamation on the 18th day of January, 2018, shall remain in force for a further period of three months, until the 31st day of January, 2019.

3. The Emergency Powers Regulations, 2018, are hereby continued in force until the 31st day of January, 2019.

Senator Donna Scott Mottley, Senator Charles Sinclair, Senator Lambert Brown, Senator Matthew Samuda, Senator Keith Knight, Honourable Senator Parnel Charles, Jnr., and Senator Damion Crawford also spoke on the resolution.

(Senator Damion Orande Crawford, entered and took his seat.)

(Senator Delroy Hugh Williams, entered and took his seat.)

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; L. Brown; P. Charles; D. Crawford; K. Gayle; A. Hill; K. Johnson Smith; S. Longmore; K. Morrison; R. Reid; M. Samuda; D. Scott Mottley; C. Sinclair; W. Skeffery; D. Wehby, D. Williams, T. Tavares-Finson – 17

Noes: Nil

Declined to vote: K. Knight – 1

Absent: S. Frazer-Binns; F. Morris; N. Sloley – 3

Passed in the affirmative.

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

HEATHER E. COOKE, CD, JP, (MRS.)
Clerk to the Houses

No. 172

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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 18th day of January, 2018, the Governor-General by Proclamation declared that a state of public emergency exists in the parish of St. James 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:

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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, 2018, for securing the essentials of life to the parish of St. James 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:

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