



THE
JAMAICA GAZETTE
SUPPLEMENT

PROCLAMATIONS, RULES AND REGULATIONS

1366H⁷

Vol. CXLII

FRIDAY, DECEMBER 13, 2019

No. 193A²

No. 273J²

Extract from the Minutes of the meeting of the House of Representatives held on Tuesday,
December 10, 2019:

PUBLIC BUSINESS

The Most Honourable Dr. Horace Chang, having obtained suspension of the Standing Orders,
moved:

THE EMERGENCY POWERS ACT

THE EMERGENCY POWERS (NO. 3) (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 5th day of September, 2019, the Governor-General by Proclamation declared that a state of public emergency exists in the entire area comprising the parishes of Clarendon and St. Catherine, 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 (No. 3) Regulations, 2019, for securing the essentials of life to the entire area comprising the parishes of Clarendon and St. Catherine 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 (No. 3) Regulations, 2019, were laid in the House of Representatives on the 10th day of September, 2019, and in the Senate on the 13th day of September, 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 18th day of January, 2020:

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 thirty days until the 18th day of February, 2020; and
- (b) the Emergency Powers (No. 3) 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 (No. 3) (Continuance) (No. 3) Resolution, 2019;

- (2) The state of public emergency declared by the Governor-General by Proclamation on the 5th day of September, 2019, shall remain in force for a further period of thirty days, until the 18th day of February, 2020;
- (3) The Emergency Powers (No. 3) Regulations, 2019, are hereby continued in force until the 18th day of February, 2020.

Dr. Peter Phillips also spoke on the motion.

Dr. Peter Phillips having spoken for 30 minutes, the Honourable Karl Samuda, Minister without Portfolio in the Ministry of Education, Youth and Information and Leader of the House, moved that the Standing Orders be suspended to enable him to continue his speech to its conclusion, notwithstanding the time limit on speeches.

Seconded by: Mr. Robert Pickersgill.

Agreed to.

Mr. Fitz Jackson, Mr. Peter Bunting, the Honourable Desmond McKenzie, Dr. Angela Brown Burke, Mr. Julian Robinson and Mr. G. Anthony Hylton 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: D. Brown; A. Brown Burke; L. Campbell; H. Chang; D. Chuck; H. Clarke; N. Clarke; M. Dalrymple Philibert; N. Dunn; O. Grange; F. Green; M. Guy; L.M. Henry; J. Holness; W.J.C. Hutchinson; G.A. Hylton; F. Jackson; D. Kellier; Z. Mayne; D. McKenzie; R. Montague; P. Paulwell; M. Phillips; P. Phillips; R. Pickersgill; 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; V. Wright; Mr. Speaker — 42

Noes: Nil

Declined to Vote: Nil

Absent: N. Arscott; R. Azan; E. Bartlett; L. Buchanan; P. Bunting; D. Campbell; J. Daley; J. Cuthbert Flynn; H. Dalley; C. Fagan; F. Ferguson; M. Golding; I. Hayles; L. Hanna; A. Holness; M. Malahoo Forte; K. McNeill; N. Neita; E. Redman; R. Thwaites; A. Wheatley — 21

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.

No. 273³

Extract from the Minutes of the meeting of the Senate held on Friday, December 13, 2019:

PUBLIC BUSINESS

The Honourable Senator Parnel Charles, Jnr., Minister without Portfolio in the Ministry of Economic Growth and Job Creation and acting Leader of Government Business, having obtained suspension of the Standing Orders, also move:

THE EMERGENCY POWERS ACT

THE EMERGENCY POWERS (NO. 3) (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 5th day of September, 2019, the Governor-General by Proclamation declared that a state of public emergency exists in the entire area comprising the parishes of Clarendon and St. Catherine, 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 (No. 3) Regulations, 2019, for securing the essentials of life to the entire area comprising the parishes of Clarendon and St. Catherine 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 (No. 3) Regulations, 2019, were laid in the House of Representatives on the 10th day of September, 2019, and in the Senate on the 13th day of September, 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 18th day of January, 2020:

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 thirty days until the 18th day of February, 2020; and
- (b) the Emergency Powers (No. 3) 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 (No. 3) (Continuance) (No. 3) Resolution, 2019;
- (2) The state of public emergency declared by the Governor-General by Proclamation on the 5th day of September, 2019, shall remain in force for a further period of thirty days, until the 18th day of February, 2020;
- (3) The Emergency Powers (No. 3) Regulations, 2019, are hereby continued in force until the 18th day of February, 2020.

Senator Lambert Brown and Senator Charles Sinclair also spoke on the motion.

Senator the Honourable Keith Knight having spoken on the motion for 30 minutes, the Minister without Portfolio in the Ministry of Economic Growth and Job Creation and acting 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 Damion Crawford.

Agreed to.

Senator Donna Scott Mottley also spoke on the substantive motion.

Senator Damion Crawford having spoken for 30 minutes, the Minister without Portfolio in the Ministry of Economic Growth and Job Creation and acting 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 Robert Nesta Morgan 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; L. Brown; P. Charles, Jr.; S. Frazer-Binns; K. Gayle; A. Hill; S. Longmore; R.N. Morgan; K. Morrison; M. Samuda; D. Scott Mottley; C. Sinclair; W. Skeffery ; D. Williams Mr. President — 15

Noes: Nil

Declined to vote: A. Haughton — 1

Absent: D. Crawford; K. Johnson Smith; K. Knight F. Morris; D. Wehby — 5

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.