



THE
JAMAICA GAZETTE
SUPPLEMENT

PROCLAMATIONS, RULES AND REGULATIONS

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FRIDAY, OCTOBER 4, 2019

No. 118A

No. 184A

Extract from the Minutes of the meeting of the House of Representatives held on Tuesday, October 1, 2019:

PUBLIC BUSINESS

Dr. Angela Brown Burke continued debate on the motion:

THE EMERGENCY POWERS ACT

THE EMERGENCY POWERS (NO. 2) (CONTINUANCE) (NO. 2)
RESOLUTION, 2019

WHEREAS by virtue of sections 20(1) and (2)(b) of the Jamaica (Constitution) Order in Council, 1962 (hereinafter referred to as "the Constitution"), 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 7th day of July, 2019, the Governor-General, by Proclamation, declared that a state of public emergency exists within the parts of the parish of St. Andrew, as specified in the Schedule to the Proclamation (and hereinafter referred to as "the specified community"), 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 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* (hereinafter referred to as "the 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 Act, made the Emergency Powers (No. 2) Regulations, 2019, for securing the essentials of life to the specified community during the state of public emergency;

AND WHEREAS section 3(4) of the 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. 2) Regulations, 2019, were laid in the Senate on the 12th day of July, 2019, and in the House of Representatives on the 16th day of July, 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 4th day of January, 2020; and
- (b) the Emergency Powers (No. 2) 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:

- (i) This Resolution may be cited as the Emergency Powers (No. 2) (Continuance) (No. 2) Resolution, 2019;
- (ii) The state of public emergency declared by the Governor-General by Proclamation of the 7th day of July, 2019, shall remain in force for a further period of three months, until the 4th day of January, 2020;

- (iii) The Emergency Powers (No. 2) Regulations, 2019, are hereby continued in force until the 4th day of January, 2020.

Mr. G. Anthony Hylton also spoke on the motion, following which the debate was closed by the Most Hon. Andrew Holness, Prime Minister.

(Mr. James Rudolph Edward Robertson, MP, St. Thomas, Western, entered and took his seat.)

(Hon. Floyd O'Brian Green, MP, Minister of State in the Ministry of Industry, Commerce, Agriculture and Fisheries, 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 House voted as follows:

Ayes: R. Azan, E. Bartlett; D. Brown; A. Brown Burke; D. Campbell; L. Campbell; H. Chang; D. Chuck; H. Clarke; N. Clarke; J. Cuthbert Flynn; H. Dalley; C. Fagan; F. Ferguson; O. Grange; F. Green; L. Hanna; L. M. Henry; A. Holness; J. Holness; G. A. Hylton; F. Jackson; M. Malahoo Forte; Z. Mayne; D. McKenzie; K. McNeill; N. Neita; P. Paulwell; M. Phillips; P. Phillips; E. Redman; J. Robertson; J. Robinson; S. Robinson; K. Samuda; A. Shaw; R. Spencer; M. Stewart; A. Terrelonge; A. Vaz; Daryl Vaz; Dwayne Vaz; C. Warmington; F. Williams; F. Witter; Mr. Speaker — 46

Noes: Nil

Declined to Vote: Nil

Absent: N. Arscott; L. Buchanan; P. Bunting; J. Daley; M. Dalrymple Philibert; N. Dunn; M. Golding; M. Guy; I. Hayles; W.J.C. Hutchinson; D. Kellier; R. Montague; R. Pickersgill; R. Thwaites; C. Tufton; A. Wheatley; V. Wright — 17

Passed in the affirmative.

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

VALRIE A. CURTIS, BH(M), JP
Deputy Clerk to the Houses.

No. 184B

Extract from the Minutes of the meeting of the Senate held on Friday, October 4, 2019:

PUBLIC BUSINESS

(Senator Matthew Peter Samuda entered and took his seat.)

The Honourable Senator Kamina Johnson Smith, Minister of Foreign Affairs and Foreign Trade and Leader of Government Business, gave notice that at the next meeting of the Senate she would move:

THE EMERGENCY POWERS ACT**THE EMERGENCY POWERS (No. 2) (CONTINUANCE) (No. 2)
RESOLUTION, 2019**

WHEREAS, by virtue of sections 20(1) and (2)(b) of the Jamaica (Constitution) Order in Council, 1962 (hereinafter referred to as "the Constitution"), 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 7th day of July, 2019, the Governor-General, by Proclamation, declared that a state of public emergency exists within the parts of the parish of St. Andrew, as specified in the Schedule to the Proclamation (and hereinafter referred to as "the specified community"), 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 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* (hereinafter referred to as "the 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 Act, made the Emergency Powers (No. 2) Regulations, 2019, for securing the essentials of life to the specified community during the state of public emergency;

AND WHEREAS section 3(4) of the 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. 2) Regulations, 2019, were laid in the Senate on the 12th day of July, 2019, and in the House of Representatives on the 16th day of July, 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 4th day of January, 2020; and

- (b) the Emergency Powers (No. 2) 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:

- (i) This Resolution may be cited as the Emergency Powers (No. 2) (Continuance)(No. 2) Resolution, 2019;
- (ii) The state of public emergency declared by the Governor-General by Proclamation of the 7th day of July, 2019, shall remain in force for a further period of three months, until the 4th day of January, 2020;
- (iii) The Emergency Powers (No. 2) Regulations, 2019, are hereby continued in force until the 4th day of January, 2020.

Senator Wensworth Skeffery, the Honourable Senator Pearnel Charles, Jr., Senator Sophia Frazer-Binns and Senator Donald Wehby also spoke on the motion.

(Senator Robert Nesta Morgan entered and took his seat.)

The time being 1:20 p.m., the Deputy President, Senator Aubyn Hill, interrupted.

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 the Senate to sit beyond 1:30 p.m. to complete the business of the day.

Seconded by: Senator Kerensia Morrison

Agreed to:

Senator Lambert Brown then continued debate 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.; 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; D. Williams; Mr. President — 15

Noes: Nil

Declined to vote: Nil

Absent: L. Brown; D. Crawford; S. Frazer-Binns; A. Haughton; K. Knight; F. Morris — 6

Passed in the affirmative.

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

VALRIE A. CURTIS, BH(M), JP
Deputy Clerk to the Houses.

No. 184C

THE EMERGENCY POWERS ACT**THE EMERGENCY POWERS (NO. 2) (CONTINUANCE) (NO. 2)
RESOLUTION, 2019**

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 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 7th day of July, 2019, the Governor-General by Proclamation declared that a state of public emergency exists within parts of the parish of St. Andrew as specified in the Schedule to the Proclamation (and hereinafter referred to as the specified community), 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. 2) Regulations, 2019, for securing the essentials of life to the specified community 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 (No. 2) Regulations, 2019, were laid in the Senate on the 12th day of July, 2019, and in the House of Representatives on the 16th day of July, 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 5th 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 4th day of January, 2020; and
- (b) the Emergency Powers (No. 2) 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. 2) (Continuance) (No. 2) Resolution, 2019.
2. The state of public emergency declared by the Governor-General by Proclamation on the 7th day of July, 2019, shall remain in force for a further period of three months, until the 4th day of January, 2020.
3. The Emergency Powers (No. 2) Regulations, 2019, are hereby continued in force until the 4th day of January, 2020.