

GOJ LEGISLATION PROGRAMME 2013/2014 AS AT 31 DECEMBER 2013

PASSED BY PARLIAMENT

No.	#	MINISTRY	NAME OF LEGISLATION	PURPOSE
1.	1	Ministry of Agriculture and Fisheries	The Aquaculture, Inland and Marine Products and By-Products (Inspection and Licensing) (Change of Name and Amendment) Act Act No. 20/2013	To plug loopholes discovered in the Act since the opening of the conch season in 2001 and make provision for imports.
2.	2	Ministry of Agriculture and Fisheries	The Conch (Export Levy)(2013 Conch Season)(Special Provisions) Act, 2013 Act No. 37/2013	To amend the act to allow for the payment of the export levy on conch to be made in three months of the submission of an application for an export health certificate and export licence for each consignment of conch, and for the payment of the levy in instalments.
3.	3	Ministry of Agriculture and Fisheries	The Conch (Export Levy)(Validation and Indemnity) Act Act No.18/2013	To validate the levy of US\$1 per pound of conch exported which was charged during the 2011 Conch Season.
4.	4	Ministry of Finance and Planning	The Charitable Organisations (Tax Harmonisation) (Miscellaneous Provisions) Act, 2013 Act No.13/2013	To provide a for the harmonization of the tax treatment of charitable organisations by amending the following: the Customs Act, the General Consumption Tax Act; the Income Tax Act; the Property Tax Act; the Stamp Duty Act; and the Transfer Tax Act.
5.	5	Ministry of Finance and Planning	The Financial Investigations Services Division (Amendment) Act Act No. 15/2013	To amend the Financial Investigations Division Act to enable the Division's membership in the Egmont Group.
6.	6	Ministry of Finance and Planning	The Fiscal Incentives (Miscellaneous Provisions) Act, 2013 Act No. 35/2013	To introduce a uniform fiscal incentives law in fulfilment of the commitment by the Government of Jamaica to an omnibus Tax Incentives Framework.
7.	7	Ministry of Finance and Planning	The General Consumption Tax (Validation and Indemnity) Act, 2013 Act No. 14/2013	To validate the Provisional Orders to amend the GCT Act, which were introduced between 2003-2013 to implement revenue measures.

Categories

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| 4 | Being considered/Approved by LC | 5 | Bill being drafted | 6 | Drafting instructions issued |
| 7 | Cabinet approval of drafting instructions | | | | |

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No.	#	MINISTRY	NAME OF LEGISLATION	PURPOSE
8.	8	Ministry of Finance and Planning	The Income Tax (Amendment) Act Act No. 21/2013	To amend the Income Tax Act to make permanent Provisional Orders that had been used to effect variations to the provisions of the Income Tax Act by way of Ministerial Order. The Bill also provides for the harmonization of the provisions of the Income Tax Act and those of the Revenue Administration Act so as to increase, widen and facilitate access to information held by various parties, and for consequential amendments to the Revenue Administration Act.
9.	9	Ministry of Finance and Planning	The Income Tax (Large-Scale Projects and Pioneer Industries) Act, 2013 Act No. 36/2013	To make provision for the designation of projects as approved large-scale projects or economic activities as approved pioneer industries so as to provide income tax relief in relation to such projects and activities.
10.	10	Ministry of Finance and Planning	The Pensions (Superannuation Funds and Retirement Schemes) (Validation and Amendment) Act, 2013 Act No. 33/2013	To validate all actions taken by the Financial Services Commission in collecting licensing fees from investment managers since 2006; indemnify officials of the Financial Services Commission in respect of actions taken pursuant to the aforesaid Pensions Act and Regulations over the relevant period; amend the Pensions (Superannuation Funds and Retirement Schemes) Act, 2004 to allow the Financial Services Commission to collect fees from investment managers and administrators for all pension schemes; allow provisional registration of pension schemes; and harmonize the contribution rate with the provisions of the Income Tax Act.
11.	11	Ministry of Finance and Planning	The Revenue Administration (Amendment) Act Act No. 16/2013	Jamaica was Peer Reviewed by the Global Forum on Transparency and Exchange of Information, an affiliate of the OECD. The review highlighted deficiencies in the RAA, Income Tax Act and Companies Act, all of which need to be amended in order to achieve greater transparency and facilitate effective exchange of information. This Bill will remove domestic tax interest and facilitate effective exchange of information. This is in response to the requirements of the Global Forum on Transparency and Exchange of Information for Tax purposes. Also to amend the Act to promote compliance in all sectors of the economy through increasing access to information from various parties.

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No.	#	MINISTRY	NAME OF LEGISLATION	PURPOSE
12.	12	Ministry of Finance and Planning	The Securities (Amendment) Act, 2013 Act No. 39/2013	To inhibit the establishment of unlawful financial organizations, modernize the framework for the regulation of collective investment schemes and correct other deficiencies in the legislative framework for the regulation of the securities industry
13.	13	Ministry of Foreign Affairs and Foreign Trade	The Terrorism Prevention (Amendment) Act, 2013 Act No. 25/2013	To provide for implementing the obligations under the Convention established by Security Council Resolution 1373; and to incorporate into Jamaican law the provisions of the Amendment to the Convention on the Physical Protection of Nuclear Material, 2005; the Protocol to the Convention for the Suppression of the Unlawful Acts against the Safety of Maritime Navigation, 2005; and the Protocol to the Protocol for the Suppression of the Unlawful Acts against the Safety of Fixed Platforms, 2005
14.	14	Ministry of Foreign Affairs and Foreign Trade	The United Nations Security Council Charter Resolutions Implementation Act Act No. 29/2013	To implement resolutions passed by the United Nations Security Council under Chapter VII of the Charter of the United Nations in order to enable Jamaica to fulfil commitments to the Caribbean Financial Action Task Force, as well as its obligations under the United Nations Charter.
15.	15	Ministry of Industry, Investment and Commerce	The Charities Act, 2013 Act No. 32/2013	To provide a legislative framework for tax treatment of all charities.
16.	16	Ministry of Industry, Investment and Commerce	The Companies (Amendment) Act, 2013 Act No. 40/2013	To provide for the use of a single form for the registration of companies and business names; and to confer additional powers on the Registrar of Companies.
17.	17	Ministry of Industry, Investment and Commerce	The Security Interests in Personal Property Act, 2013 Act No. 38/2013	To reform the collateral system in Jamaica.

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No.	#	MINISTRY	NAME OF LEGISLATION	PURPOSE
18.	18	Ministry of Industry, Investment and Commerce	The Trade Marks (Amendment) Act, 2013 Act No. 17/2013	(i) To reflect Jamaica's membership in the WTO; (ii) To establish that the registration fees do not include the cost of advertising; (iii) To provide for the suspension of a trademark as a result of disuse for a period of five years without good reason; (iv) To empower the Minister to amend the monetary penalties in the Act by way of order subject to affirmative resolution of each House of Parliament; (v) To introduce the concept of a cooling-off period; and (vi) To provide the basis on which the revocation of a trademark can be effected.
19.	19	Ministry of Justice	The Commissions of Enquiry (Amendment) Act Act No. 28/2013	To amend the Commissions of Enquiry Act pursuant to recommendations made in the report of the West Kingston Commission of Enquiry to explain and modernise its provisions for offences, increase the applicable penalties, and to make better provision for the process of remuneration of Commissioners.
20.	20	Ministry of Justice	The Defamation Act, 2013 Act No. 31/2013	To modernize the laws relating to libel and slander.
21.	21	Ministry of Justice	The Committal Proceedings Act, 2013 Act No. 24/2013	To abolish the existing procedure of preliminary examinations in cases of indictable offences and seeks to put in its place a new committal proceedings regime in the Resident Magistrates Court.
22.	22	Ministry of Labour and Social Security	The Caribbean Community (Free Movement of Skilled Persons)(Amendment) Act, 2013 Act No. 27/2013	To increase fines and penalties, allow for charging of fees for skill certificates, institute One Certificate Regime, and to expand the categories of persons approved for movement under the regime.
23.	23	Ministry of National Security	The Proceeds of Crime (Amendment) Act, 2013 Act No. 26/2013	To bring the Act in line with international requirements of the Financial Action Task Force's 40 Recommendations document, and to address gaps in other areas identified by local stakeholders.

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No.	#	MINISTRY	NAME OF LEGISLATION	PURPOSE
24.	24	Ministry of National Security	The Trafficking in Persons (Prevention, Suppression and Punishment)(Amendment) Act Act No. 19/2013	To increase the penalty for the offence of trafficking in persons, to make new provision for offences akin to trafficking and other related matters.
25.	25	Ministry of Water, Land, Environment and Climate Change	The Crown Property (Vesting) (Amendment) Act, 2013 Act No. 23/2013	To establish a National Divestment Committee to advise Minister responsible for Land and Environment; To provide for the Minister making an Order to exempt certain categories of divestment being routed through the Committee.
26.	26	Ministry of Water, Land, Environment and Climate Change	The Registration (Strata Titles) (Amendment) Act, 2013 Act No. 34/2013	To improve the ability of the Strata Corporations to manage, control and administer the common property and resolve disputes in connection with such properties.

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TABLED IN PARLIAMENT				
No.	#	MINISTRY	NAME OF LEGISLATION	PURPOSE
27.	1	Ministry of Industry, Investment and Commerce	Insolvency Bill	To review the laws relating to personal and corporate insolvencies in Jamaica to aid in the rehabilitation of debtors and the presentation viable businesses; ensure procedural clarity in the operation of insolvency laws in Jamaica; make recommendations for the appropriate legislative changes, including Temporary protection from creditors; Reduction of the need for court proceedings and where necessary simplify the process and reduce delays; A system for licencing and regulating private trustees; and Similar qualification requirements for all trustees; and make the necessary amendments to the Companies Act.
28.	2	Ministry of Justice	Caribbean Court of Justice Bill	To make provisions for the implementation of the Agreement establishing the Caribbean Court of Justice, and for connected matters
29.	3	Ministry of Justice	Constitution (Amendment) (Caribbean Court of Justice) Bill	To provide for the replacement of appeals to Her Majesty in Council with new provisions for appeals to the Caribbean Court of Justice as Jamaica's final appellate court; and for connected matters.
30.	4	Ministry of Justice	Judicature (Appellate Jurisdiction) (Amendment) Bill	To repeal the provisions for appeal to Her Majesty in Council and to replace those provisions for appeals to the Caribbean Court of Justice; and enact transitional provisions to exclude from the application of the provisions of the Bill, appeals to Her Majesty in Council which were instituted, where leave was granted or application for leave was made, before the date of commencement of the amending provisions.
31.	5	Ministry of National Security	Criminal Justice (Suppression of Criminal Organisations) Bill	To introduce legislation for the suppression and disruption of criminal gangs criminal gang-related activities and make consequential amendments to existing legislation as necessary.

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BEING CONSIDERED/APPROVED BY THE LEGISLATION COMMITTEE

No.		MINISTRY	NAME OF LEGISLATION	PURPOSE
32.	1	Ministry of Finance and Planning	Income Tax (Amendment) Bill (No.5)	i.) To resolve a conflict between Section 70 of the Income Tax Act which allowed expansive power to obtain information and the Revenue Administration Act which were more instructive; ii) To adapt the recommendations of the Global Forum on Transparency and Exchange of Information for Tax Purposes and affiliate OECD, that Jamaica amend its tax laws to eliminate the current position where under the Revenue Administration Act, information was obtained on pensions of interest to the Jamaica tax authorities.
33.	2	Ministry of Justice	Evidence (Amendment) Bill	To provide for the introduction of significant reforms to, among other things, allow for the reports of experts to be admitted into evidence without the need to call the expert who made the report.
34.	3	Ministry of Local Government and Community Development	Building Bill	(i) To improve the efficiency of the building approval process and provide a framework for the effective management of the building industry. (ii) To incorporate the Kingston and St. Andrew Building Act and the Parish Council Building Act.
35.	4	Ministry of Local Government and Community Development	National Solid Waste Authority (Amendment) Bill	To amend the Act to increase the number of Board Members from 11 to 13 by the inclusion of two (2) representatives of the Association of Local Government Authorities of Jamaica., and to allow the Minister, by order and subject to affirmative resolution of each House of Parliament, to amend the monetary penalties specified in the Act and any of the Schedules of the Act.
36.	5	Ministry of Transport, Works and Housing	Road Maintenance Fund (Amendment) Bill	To facilitate the Road Maintenance Fund (RMF) using funds received from the Special Consumption Tax on fuel or any other source except the motor vehicle licensing fees to undertake road construction works inclusive of bridges, retaining walls, sea defence works, river training and any other related infrastructure road works; change the name of the RMF to the Jamaica Road Fund; and amend the definition of the word maintenance to include parochial roads.

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No.		MINISTRY	NAME OF LEGISLATION	PURPOSE
37.	6	Ministry of Transport, Works and Housing	Road Traffic (Amendment) Bill	To: (i) provide for comprehensive revision of Act ; (ii) repeal and replace the current Road Traffic Act and Regulations (1938) and Companion Acts and Regulations; and (iii) establish Island Traffic Authority as a statutory body.

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No.		MINISTRY	NAME OF LEGISLATION	PURPOSE
38.	1	Ministry of Agriculture and Fisheries	Agricultural Credit Board (Repeal) Bill	To repeal the Act to, inter alia, transfer functions of the Agricultural Credit Board to the Registrar of Co-operatives and wind up the operations of the Board.
39.	2	Ministry of Agriculture and Fisheries	Animal Disease and Importation of (Amendment) Bill	To facilitate importation, distribution, storage of animal products including milk and by-products with regard to disease and safety
40.	3	Ministry of Agriculture and Fisheries	Facilities for Title (Amendment) Bill	To amend the Act to allow for application to bring land under the Registration of Titles Act without first having to apply for a loan and make provision for a Community Land Tribunal at the Parish level for adjudicating rights and interest in land and resolving disputes.
41.	4	Ministry of Agriculture and Fisheries	Fishing Industry (Amendment) Bill	To repeal and replace existing Act for the better management of the fishing industry
42.	5	Ministry of Agriculture and Fisheries	Plants (Quarantine) (Amendment) Bill	To harmonise sanitary and phytosanitary measures with WTO requirements
43.	6	Ministry of Education	Jamaica Teaching Council Bill	To provide for the establishment of the Jamaica Teaching Council, consequential amendments to the provisions of the Education Act dealing with the Teachers Service Commission, and for the introduction of a system of teacher licensing.
44.	7	Ministry of Education	Jamaica Tertiary Education Commission Bill	To provide for the establishment of a national oversight body for tertiary education in Jamaica (J-TEC).
45.	8	Ministry of Finance and Planning	Amendment the constituent Acts of various Statutory bodies; Consequential amendments to the PBMA and FAA Acts (Harmonization Bills)	To harmonize the enabling statute of statutory bodies to the PBMA Act so as to improve the governance and accountability of such bodies and for related matters.
46.	9	Ministry of Finance and Planning	Bank of Jamaica (Amendment) Bill	To designate the Bank of Jamaica with overall responsibility for financial stability

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No.		MINISTRY	NAME OF LEGISLATION	PURPOSE
47.	10	Ministry of Finance and Planning	Bank of Jamaica (Omnibus) Bill	To facilitate the enactment of a single new legislation to merge the provisions of the Banking Act, the Financial Institutions Act, and the Bank of Jamaica (Building Societies) Act and Regulations, and for amendments to existing provisions to enhance the supervision of deposit taking institutions.
48.	11	Ministry of Finance and Planning	Casino Gaming (Amendment) Bill	To make corrections to some errors within the Casino Gaming Act.
49.	12	Ministry of Finance and Planning	Customs (Validation and Indemnification)(Amendment) Bill	To validate the implementation of the Customs User Fee (CUF) and the amendment of the Customs Regulations to unequivocally reflect the use of the Fee so that it accords with GATT standards.
50.	13	Ministry of Finance and Planning	Executive Agencies (Amendment) Bill	(i) To allow Parliament's approval to be given through negative resolution rather than affirmative resolution when prescribing the fees and charges to be imposed by an Executive Agency; (ii) To recognise bodies that have been designated as Executive Agencies and to empower the Minister, through order, to update this list periodically; and (iii) To allow for pensions portability between Executive Agencies and Central Government.
51.	14	Ministry of Finance and Planning	General Consumption Tax (Amendment) Bill (2)	To provide for (i) Fixed penalties for not displaying the GCT Certificate and failure to return said Certificate; (ii) Amendment of Section 28 to compel the tax payer to be registers whether or not he had been served a notice by the Commissioner; (iii) Relevant sections of the Act to be amended to restrict the periods and circumstances in which tax credits may be paid; (iv) GCT to be payable on one-off major entertainment events; (v) Persons who are registered to notify the Commission of any changes which affect registration; (vi) The unauthorised collection of tax and not paying over the tax collected to the Revenue to be made offences;

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				(vii) Section 61 of the GCT to be amended to expand the powers of the Commissioner with respect to anti-avoidance; (viii) Elimination of the requirement for registration of persons below the threshold; (ix) Removal of the disparity between the treatment of imported raw materials and the procurement of raw material locally by manufacturers; (x) Shortening of the period for claiming tax credits on capital goods; (xi) Execution of documents (returned and other declarations); (xii) Expansion of the provisions of Section 23(2) as regards transfer/sale of a business as a going concern; and (xiii) The offences and penalties.
52.	15	Ministry of Finance and Planning	General Consumption Tax (Amendment) Bill (No.1)	To provide for: (i) a definition of Imported Services to be included in the legislation; (ii) a Time of Supply of an imported service to be specified; (iii) certainty in the application of GCT to Imported Services, by deleting 'a taxable activity' in section 23B(1) and replacing it with 'an activity which would have been subject to tax if provided locally'; (iv) where there was no consideration for a taxable supply, the value of the taxable supply, for tax purposes, to be the open market value; (v) a threshold of J\$90,000.00 (US\$1000.00) for purposes of charging GCT on Imported Services; (vi) the specification that imported services secured locally but completely performed, utilized or consumed outside of Jamaica are exempt from GCT; and (vii) a Standard Method of Calculating Input Tax Credits with respect to a combination of taxable and exempt supplies.
53.	16	Ministry of Finance and Planning	Insurance (Amendment) Bill	To address weaknesses identified in the legislation

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No.		MINISTRY	NAME OF LEGISLATION	PURPOSE
54.	17	Ministry of Finance and Planning	Pensions (Superannuation Funds and Retirement Schemes) (Amendment) Bill (2)	To regulate the National Pension Scheme including vesting, portability and indexation.
55.	18	Ministry of Finance and Planning	Property Tax (Amendment) Bill	To increase property tax rates with effect from 1st April, 2010, and to implement other measures to significantly improve the compliance notes for property taxes.
56.	19	Ministry of Finance and Planning	Public Accountancy (Amendment) Bill	To improve and strengthen the effectiveness of the accountancy profession.
57.	20	Ministry of Finance and Planning	Public Enterprises (Removal of Tax Concessions) (Amendment) Bill	To Remove Tax exemptions from certain public enterprises.
58.	21	Ministry of Finance and Planning	Public Sector Procurement Bill Contractor General (Amendment) Bill	To provide for the framework for public sector procurement system and to legally separate that National Contracts Commission from the Office of the Contractor General.
59.	22	Ministry of Finance and Planning	Revenue Administration (Amendment) Bill	To create the Revenue Appeals Division in replacement of the Taxpayer Appeals Departments; and to establish the Division, Commissioner, Officers, functions and powers.
60.	23	Ministry of Foreign Affairs and Foreign Trade	Diving Regulation Bill	To regulate commercial diving activities and diving equipment, safety standards and other pertinent matters
61.	24	Ministry of Foreign Affairs and Foreign Trade	Geneva Conventions and its Protocols Bill	To provide for implementing the obligations under the Convention and Protocols.
62.	25	Ministry of Foreign Affairs and Foreign Trade	Hague Convention on Civil Aspects of International Child Abduction Bill	To implement obligations under the Convention.
63.	26	Ministry of Health	Chemical Weapons Convention Implementation Bill	To implement the Convention on the Prohibition of the Development, Production, Stockpiling and use of Chemical weapons and on their destruction.
64.	27	Ministry of Health	Food and Drugs (Amendment) Bill	To include and define over-the-counter products and five new categories of substances for human consumption.

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No.		MINISTRY	NAME OF LEGISLATION	PURPOSE
65.	28	Ministry of Health	Mental Health (Amendment) Bill	To provide for treatment of patients by Mental Health Officers without their consent.
66.	29	Ministry of Health	Nurses and Midwives (Amendment) Bill	To establish a Nurse Practitioner Council to regulate control and monitor all categories of Nurse Practitioner and to provide for the legal recognition of the clinical practice of Family Nurse Practitioners, Nurse Anaesthetists and Mental Health Nurse Practitioners to enable them to prescribe a limited list of drugs set out in their practice protocols.
67.	30	Ministry of Health	Pharmacy (Amendment) Bill	To authorise the prescribing of specified drugs by Nurse Practitioners.
68.	31	Ministry of Health	Pharmacy (Validation and Indemnity of Functions of the Registration Appeal Tribunal) Bill	To validate and confirm acts done in good faith by the Tribunal in carrying out their functions under the Act and to indemnify persons from liability in respect of such acts for the period 3 August 2011 to 6 November 2011.
69.	32	Ministry of Health	Quarantine (Validation and Indemnity of Functions of the Quarantine Authority) Bill	To validate and confirm acts done in good faith by the Authority in carrying out their functions under the Act and to indemnify persons from liability in respect of such acts for the period 24 February 2011 to 12 June 2011.
70.	33	Ministry of Health	Radiation (Safety & Control) Bill	To regulate safety of radiation to users & unsuspecting public
71.	34	Ministry of Health	Registration (Births and Deaths) (Amendment) Bill	To make provision: (i) for the compulsory registration of the names of unmarried fathers; (ii) the inclusion of penalties for misrepresentation or refusal of the mother to name the father; and (iii) the imposition of fees for the provision of services relating to section 19B (4) of the Act.
72.	35	Ministry of Health	Rotterdam Convention Bill	To provide for prior informed consent for hazardous chemical and to make provision for the protection of human health and the environment from potential harm.

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No.		MINISTRY	NAME OF LEGISLATION	PURPOSE
73.	36	Ministry of Industry, Investment and Commerce	Cooperative & Friendly Societies (Amendment) Bill	(i) To place the activities of Credit Unions within the regulatory ambit of BOJ; (ii) To develop Youth Credit Unions, (iii) To register deposit taking businesses, amalgamation, conversion and acquisitions etc.; (iv) To restrict deposit taking activities of Cooperative Societies.
74.	37	Ministry of Industry, Investment and Commerce	Copyright (Amendment) Bill (No.1)	(i) To ensure Jamaica's accession to the World Intellectual Property Organisation (WIPO) Copyright Treaty. (ii) To incorporate provisions of the WIPO Copyright Treaty to protect authors, composers and creators of literature. (iii) To allow for: (a) access to copyright works by the print and hearing disabled; (b) establishment of a voluntary deposit system for copyright works to be hosted by the Jamaica Intellectual Property Office; (c) establishment of the duration of copyright for works created by the Crown and corporate bodies; (d) provision for access to "orphan works;" (e) clarification of the rights in adapted works; (f) extension of the rights of libraries and archivists to archive material that was in digital format; and (g) protection of first importers of sound recordings in Jamaica by ensuring them the first right of distribution of same.
75.	38	Ministry of Industry, Investment and Commerce	Fair Competition (Amendment) Bill	(i) To improve efficacy of the FTC in fulfilling its duties, including restructuring the FTC to include an independent Tribunal with responsibility to adjudicate matters investigated by the Commission and hear appeals; (ii) To allow the Act to apply to all markets and industries, except where specifically exempted by another law; and (iii) To generally update the Act.

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76.	39	Ministry of Industry, Investment and Commerce	i. Food Storage and Prevention of Infestations (Amendment) Bill ii. Pesticides (Amendment) Bill	To amend the Acts to increase the powers of the FSPID inspectors to include the right to seize equipment, related to any articles to which the Act applies, which are defective; and the rights to request documents in relation to the articles being inspected and the power to detain vehicles and containers used to transport food, and also buildings, if they are infested or contaminated, or liable to be infested or contaminated; amend certain definitions to give effect to new Provisions; allow the FSPID to pass the cost associated with removal, storage and/or destruction of infested or contaminated commodities to the offending party; and remove the powers that the FSPID has for licensing pest control operations in food areas but retain powers to certification of such activities.
77.	40	Ministry of Industry, Investment and Commerce	i. Holding Company and International Business Company Bill; ii. Trusts Bill; iii. Trust and Service Provider Bill; and iv. Limited Liability Bill	To support the suite of services offered by the Jamaica International Financial Services Centre (IFSC).
78.	41	Ministry of Industry, Investment and Commerce	Patents & Industrial Designs Bill	To replace and repeal Patents Act and the Design Act; fulfil all the provisions of the Trade-Related aspects of Intellectual Property Rights (TRIPS) Agreement and the USA/Jamaica Bilateral Treaty on Intellectual Property; and bring Act into conformity with international standards of protection for inventors and innovators.
79.	42	Ministry of Justice	Arbitration Bill	Cabinet approved the repeal and replacement of the Arbitration Act (1900), the Arbitration Clauses Act (1931), and the Arbitration (Recognition and Enforcement of Foreign Awards) Act (2001) and consequential implementation of a new comprehensive Arbitration Act to govern the conduct and practice of domestic as well as international arbitration in Jamaica.

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No.		MINISTRY	NAME OF LEGISLATION	PURPOSE
80.	43	Ministry of Justice	Offences Against the Person (Amendment) Bill	To repeal and replace certain sections of the Offences Against the Person Act to provide for a myriad of sexual offences. These are consequential from the Sexual Offences Act.
81.	44	Ministry of Labour and Social Security	National Assistance Bill	To incorporate institutional changes under the Social Safety Net Reform (a Unified Benefits Programme) and repeal the Poor Relief Law of 1886.
82.	45	Ministry of Labour and Social Security	National Disabilities Bill	To provide for further protection and legal entrenchment of rights of persons with disabilities
83.	46	Ministry of Labour and Social Security	Occupational Health & Safety Bill	To provide for safety standards at workplace
84.	47	Ministry of Local Government and Community Development	Constitution (Amendment)(Local Government) Bill	To have Local Government included in the Constitution
85.	48	Ministry of Local Government and Community Development	Disaster Risk Management Bill	To provide for a strengthened legislative framework for disaster management. This Bill will replace the Disaster Preparedness and Emergency Management Act.
86.	49	Ministry of National Security	Constabulary Force (Amendment) Bill	To amend section 5 of the Act to provide for a term of enlistment for gazetted officers and to increase applicable fine for contravention.
87.	50	Ministry of National Security	Police Management Authority Bill	The establishment of a Police Authority as an oversight mechanism for policing functions.
88.	51	Ministry of National Security	Private Security Regulations Authority (Amendment) Bill	To increase fees and fines; to amend Section 12 to widen the circumstances under which licences can be revoked or refused; and to amend Section 17 to provide an exception under the Companies Act for lifting the corporate veil to ascertain identities of company directors and shareholders.
89.	52	Ministry of Science, Technology, Energy and Mining	Quarries Control (Amendment) Bill	To amend the existing Act to improve the management of quarries.

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| 7 | Cabinet approval of drafting instructions | | | | |

GOJ LEGISLATION PROGRAMME 2013/2014 AS AT 31 DECEMBER 2013

BEING DRAFTED				
No.		MINISTRY	NAME OF LEGISLATION	PURPOSE
90.	53	Ministry of Tourism and Entertainment	Timeshare/Vacation Ownership	To develop a framework to facilitate the introduction of Timeshare/Vacation Owners schemes in Jamaica.
91.	54	Ministry of Transport, Works and Housing	Port Authority of Jamaica Bill	To repeal and replace existing Act, to ensure that the legislation relating to the Authority was in keeping with the Shipping Act, 1998; to bring several Acts relating to maritime activities and port operations, repeal a number of existing Acts, including the Harbour Fees Act, the Harbour Lights and Lighthouse Act and the Port Authority Act; and to address the weakness in power and functions of the Port Authority of Jamaica.
92.	55	Ministry of Transport, Works and Housing	Rent Restriction (Change of Name & Amendment) Bill	To facilitate the provision of adequate legislation governing the rental of properties in Jamaica and to bring about greater efficiency in the processing of applications & complaints
93.	56	Ministry of Transport, Works and Housing	Shipping (Pollution Prevention, Response, Liability and Compensation) Bill	To implement several international conventions (including International Convention on Civil Liability for Bunker Oil Damage; International Convention on Oil Pollution Preparedness & Response Cooperation (ICOPP & R); Safety of Life at Sea (SOLAS) to protect shipping & preserve the marine environment from pollution by ships.

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GOJ LEGISLATION PROGRAMME 2013/2014 AS AT 31 DECEMBER 2013

DRAFTING INSTRUCTIONS ISSUED				
No.		MINISTRY	NAME OF LEGISLATION	PURPOSE
94.	1	Ministry of Agriculture and Fisheries	Veterinary (Amendment) Bill	To amend the Act to achieve consistency with current practices in veterinary medicine; correct inherent deficiencies; and ensure the objectives of the Act were met.
95.	2	Ministry of Education	Mico University College (Validation and Indemnification) Bill	To provide for the validation and indemnity of all acts by the Mico University College from 2006 to 2010, during which time the College operated without the existence of a valid scheme of management, due to an omission to gazette the order approving its scheme of management.
96.	3	Ministry of Finance and Planning	Contractor General (Amendment) Bill	To validate the actions of the National Contracts Commission with respect to its mandate to register and classify contractors pursuant to sections 23G(1) and (2) of the Act.
97.	4	Ministry of Local Government and Community Development	Local Governance Bill, Local Government Financing and Financial Management Bill, Local Government (United Services and Employment) Bill	To provide an appropriate legal framework for the reformed local government system.
98.	5	Ministry of National Security	DNA Evidence Bill	To provide for the taking of DNA samples from persons arrested in relation to specified offences.
99.	6	Ministry of Water, Land, Environment and Climate Change	Real Estate (Dealers and Developers) (Amendment) Bill	To strengthen the Real Estate (Dealers and Developers) Act which governs the practice of Real Estate business in Jamaica.

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GOJ LEGISLATION PROGRAMME 2013/2014 AS AT 31 DECEMBER 2013

APPROVAL OF DRAFTING INSTRUCTIONS

No.		MINISTRY	NAME OF LEGISLATION	PURPOSE
100.	1	Ministry of Agriculture and Fisheries	Jamaica Dairy Development Board (Validation) Bill	To validate the operations of the Jamaica Dairy Development Board for the period 10 March 2009 to 2 July 2012.
101.	2	Ministry of Finance and Planning	Automatic Sharing of Tax Information legislation	New legislation to facilitate and support the automatic sharing of tax information by Jamaican financial institutions and the Central Authority (ie Tax Administration Jamaica).
102.	3	Ministry of Finance and Planning	Betting, Gaming and Lotteries (Amendment) Bill	To amend the Betting, Gaming and Lotteries Act to facilitate the inclusion of a grandfathering clause; and to validate the actions taken by the Commission for the period June 2019 until the date the inconsistencies were regularised in law and to indemnify persons employed by the Commission from actions that were performed in good faith.
103.	4	Ministry of Finance and Planning	Customs (Amendment) Bill (1)	To give formal effect to the implementation of the CARIFORUM/EC Economic Partnership Agreement, giving effect to the reduction of the Most Favoured Nation rate of duty on goods as set out in Appendix 1 of Annex III of said the Agreement.
104.	5	Ministry of Finance and Planning	Customs (Amendment) Bill (2)	To enable the implementation of the Free Trade Agreement between the Government of the Dominican Republic and CARICOM.
105.	6	Ministry of Finance and Planning	Customs (Amendment) Bill (3)	To enable the implementation of the Free Trade Agreement between the Government of Cuba and CARICOM.
106.	7	Ministry of Finance and Planning	Customs (Amendment) Bill (4)	To enable the implementation of the Free Trade Agreement between the Government of Costa Rica and CARICOM.
107.	8	Ministry of Finance and Planning	Duty Regime Relating to Automotive Diesel Oil – HS 2710.19.40 (Customs) Bill	To lower the Common External Tariff (CET) from ten per cent to zero per cent in respect of the Automotive Diesel Oil so as to ensure Petrojam's ability to guarantee its supply as well as the consistent costing of the product in the event that its traditional supply source proved inadequate.
108.	9	Ministry of Finance and Planning	General Consumption Tax (Amendment) Bill (4)	To amend the General Consumption Tax Act to allow for the zero-rating of packaging materials utilised by the manufacturing and/or production sector.

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GOJ LEGISLATION PROGRAMME 2013/2014 AS AT 31 DECEMBER 2013

APPROVAL OF DRAFTING INSTRUCTIONS				
No.		MINISTRY	NAME OF LEGISLATION	PURPOSE
109.	10	Ministry of Finance and Planning	General Consumption Tax (Amendment) Bill (5) and Customs (Amendment) Act	To amend the General Consumption Tax Act and the Customs Act to address issues ration to duty and tax exemptions on energy efficiency and renewable energy technologies, and to reflection approval of Common External Tariff exemptions granted by CARICOM's Council of Trade and Economic Development for a period of five years from 1 January 2013 to 31 December 2017.
110.	11	Ministry of Finance and Planning	General Consumption Tax (Amendment) Bill (6)	To amend the General Consumption Tax Act to provide for zero rating with respect to the supply of electricity to or for residential customers for private and domestic use to be implemented on 1 June 2013.
111.	12	Ministry of Finance and Planning	Contractor General (Amendment)(No.2) Bill	To amend the Contractor General Act to enable a properly-defined mechanism for determining projects which are of strategic national importance, with a view to exempting such projects from the procurement process.
112.	13	Ministry of Finance and Planning	Fiscal Rules Bill	To effect the necessary legislative amendments for additional fiscal rules to achieved an enhanced rules-based framework for fiscal governance in Jamaica.
113.	14	Ministry of Finance and Planning	Micro Credit Bill Amendments to the Moneylending Act, Credit Reporting Act, and Proceeds of Crime Act	To allow for the establishment of a regulatory framework for privately-owned moneylending institutions that were not regulated by any of the supervisory authorities.
114.	15	Ministry of Finance and Planning	Omnibus Legislation to Facilitate the Supervision of Deposit-Taking Institutions	To facilitate the enhanced supervision of institutions licenced under the Banking Act, the Financial Institutions Act, and the Bank of Jamaica (Building Societies) Regulations.
115.	16	Ministry of Finance and Planning	Statistics (Amendment) Bill	To include the establishment of the Statistics Commission and to expand the scope of the Act to include support to the statistical services being carried performed in all Ministries, Departments and Agencies.
116.	17	Ministry of Finance and Planning	Travel Tax (Amendment) Bill	To introduce an Airline Passenger Levy payable by travellers arriving in Jamaica by air from any place outside of Jamaica.

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GOJ LEGISLATION PROGRAMME 2013/2014 AS AT 31 DECEMBER 2013

APPROVAL OF DRAFTING INSTRUCTIONS

No.		MINISTRY	NAME OF LEGISLATION	PURPOSE
117.	18	Ministry of Foreign Affairs and Foreign Trade	Rome Statute Bill	To establish the International Criminal Court under the laws of Jamaica to enable the ratification of the Rome Statute.
118.	19	Ministry of Health	National Family Planning Act Amendment of Schedule	To amend the schedule in order to make provision for changes to the composition of the Board.
119.	20	Ministry of Health	Professions Supplementary to Medicine (Amendment) Bill	To change the name of the legislation; change the name of the Council to "Council for Health and Allied Health Professions;" and to delete proviso to section 15 (1) which allows persons in related professions in the public sector to be exempt from registration.
120.	21	Ministry of Industry, Investment and Commerce	Protection of Geographical Indications (Amendment) Bill	To amend the Act so as to grant the same protections granted to wines and spirits to other goods and products; to establish the Jamaican Commission on Geographical Indications, and to establish a Geographical Indications Register.
121.	22	Ministry of Industry, Investment and Commerce	Trade Marks (Amendment) Bill	To amend the Trade Marks Act and Rules to allow for the implementation of the Madrid Protocol once Jamaica becomes a signatory.
122.	23	Ministry of Justice	Administrator General (Special Measures) Bill	To provide the Administrator-General with special powers to permit the settling of estates which the Administrator General is currently unable to complete.
123.	24	Ministry of Justice	Constitution (Amendment) Bill	To amend the Constitution of Jamaica to replace Her Majesty the Queen with a non-executive President as Head of State and thereby make Jamaica a Republic
124.	25	Ministry of Justice	Criminal Records (Rehabilitation of Offenders)(Amendment) Bill	To amend the Bill to reduce the rehabilitation period from 2 phases to 1 phase, provide for the automatic expungement of certain minor offences, and to exclude certain serious offences from record expungement.
125.	26	Ministry of Justice	Cybercrimes (Amendment) Bill	To amend section 4 (1) (a) of the Act to rectify the error in that section; enactment of validating legislation to declare the Cybercrime Act 2012 valid.

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GOJ LEGISLATION PROGRAMME 2013/2014 AS AT 31 DECEMBER 2013

APPROVAL OF DRAFTING INSTRUCTIONS

No.		MINISTRY	NAME OF LEGISLATION	PURPOSE
126.	27	Ministry of Justice	Amendments to the: Judicature Supreme Court (Additional Powers of Registrar) Act; Judicature (Resident Magistrates) Act; Limitation of Actions Act; Administrators General's Act; Intestates' Estates and Property Charges Act; Probate of Deeds Act; Transfer Tax Act; The Wills Act; and The Judicature (Supreme Court) Act.	To amendment to existing legislation pertinent to the granting of Probate and Letters of Administration by the Supreme Court and the Resident Magistrates' Courts, with the aim of reducing processing time and addressing anomalies in the law.
127.	28	Ministry of Justice	Law Revision (Amendment) Bill	To amend the Law Revision Act in order to amend the methods for the appointment of Statute Law Commissioners.
128.	29	Ministry of Justice	Introduction of Notice of Alibi Bill	To require advance notice of an alibi defence from an accused person.
129.	30	Ministry of Justice	Single Anti-Corruption Entity Bill	To establish a single anti-corruption entity to assume the functions of the Commission for the Prevention of Corruption, the Integrity Commission and the Office of the Contractor General.
130.	31	Ministry of Labour and Social Security	Apprenticeship (Amendment) Bill; Holiday (Public General) Amendment Bill; Minimum Wage (Amendment) Bill; Shops and Offices (Amendment) Bill; and Women (Employment of) (Amendment) Bill	To amend existing legislation to facilitate the implementation of Flexible Work Arrangements based on White Paper.
131.	32	Ministry of National Security	Constables (District)(Amendment) Bill	To amend the Bill in order to enable members of the Rural Police (District Constables) to become pensionable.
132.	33	Ministry of National Security	Maritime Drug Trafficking (Suppression)(Amendment) Bill	To facilitate the waiver of Jamaica's jurisdiction over its nationals suspected of engaging in illicit trafficking seaward of Jamaica's territorial sea.
133.	34	Ministry of Science, Technology, Energy and Mining	Data Protection Bill	To implement a co-regulatory regime to address the protection of the privacy of individuals in relation to personal data; to regulate the collection, processing, keeping, use and disclosure of certain information relating to individuals; and to provide for connected matters.

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GOJ LEGISLATION PROGRAMME 2013/2014 AS AT 31 DECEMBER 2013

APPROVAL OF DRAFTING INSTRUCTIONS

No.		MINISTRY	NAME OF LEGISLATION	PURPOSE
134.	35	Ministry of Science, Technology, Energy and Mining	Telecommunications (Amendment) Act	To amend the Act to establish the basic requirements and conditions for the implementation and operation of number portability in Jamaica
135.	36	Ministry of Transport, Works and Housing	Caribbean Maritime Institute (Amendment) Bill	To amend the Act to allow the Caribbean Maritime Institute to obtain degree-granting powers, grant and confer degrees and change the name to the Caribbean Maritime University.
136.	37	Ministry of Transport, Works and Housing	Maritime Labour Convention Bill	To give effect to the Maritime Labour Convention; and to amend related laws.
137.	38	Ministry of Transport, Works and Housing	Mortgage Insurance (Amendment) Bill	To amend the Mortgage Insurance Act to allow for an increase in the aggregate per centum of the appraised value of the property on which mortgage indemnity insurance can be granted.
138.	39	Ministry of Transport, Works and Housing	Shipping (Amendment) Bill	To amend existing legislation to ratify the application of an annual fee in lieu of Customs Duty, Customs User Fee, Environmental Levy and General Consumption Tax payable by owners of yachts.
139.	40	Ministry of Water, Land, Environment and Climate Change	Water Supply and Sewerage Service Bill	To provide the framework for multiple service providers in the water sector through a licensing regime, and to establish the appropriate institutional framework, responsibilities and roles of the various players in the water sector consistent with the Policy.
140.	41	Office of the Prime Minister	Betting, Gaming and Lotteries (Amendment) Bill	To define the term 'Minister' as the context requires to enable alignment of administrative oversight for the Culture, Health, Arts, Sports and Education (CHASE) Fund with recommendations in the Public Sector Master Rationalisation Plan.

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