

**LEGISLATION PROGRAMME 2009/2010
AS AT 30 OCTOBER 2009**

PASSED IN BOTH HOUSES				
#	NO	MINISTRY	NAME OF LEGISLATION	PURPOSE
1.		MAF	The Conch (Export Levy) Act, 2009	To impose a levy on the export of conch; to establish the Fisheries Management and Development Fund to facilitate the sustainable management and development of the fisheries sector; and for connected purposes.
2.		MFPS	Appropriations Act, 2009	To provide authority for expenditure (other than statutory expenditure) for the financial year 2009/2010 and specifies the manner in which that expenditure is to be allocated to the various services and purposes. To provide for the amounts of receipts in relation to these services and purposes.
3.		MFPS	Financial Administration & Audit (Amendment) Act, 2009	To provide for establishment of Audit Committees in all ministries and departments; to expand the definition of "department"; and to enforce the establishment of audit committees in public bodies. To enhance capability of MDA to carry out functions; to empower the Minister (Sections 19B and 50) to make regulations which may provide for imposition of penalties on summary conviction in RM Court of a fine not exceeding \$1m or a term not exceeding one year or both fine and imprisonment.
4.		MFPS	Income Tax (Validation and Amendment) Act, 2009	To amend Section 79(1) (b) of the Act to allow for the charging of interest on the unpaid taxes owed by persons who file returns under Section 67(5) of the Act; to provide for an incentive for tax payers for pre-payments by crediting the same rate of interest applicable to unpaid amounts.
5.		MIIC	Trade (Amendment) Act, 2009	To provide for increase in fines; and to empower the Minister to increase fines under the Act by order, subject to affirmative resolution in each House of Parliament.
6.		MLSS	Factories (Amendment) Act, 2009	To provide for increases in fines/penalties
7.		MLSS	Holidays with Pay (Amendment) Act, 2009	To increase fines payable to more realistic levels and to give RM Courts jurisdiction to hear and determine matters arising out of the operation of the Act.
8.		MOJ	Child Pornography (Prevention) Act, 2009	To provide enabling legislation to criminalize and treat with the production, possession of child pornography and related matters.
9.		MOJ	Sexual Offences Act, 2009	To modernise the law relating to sexual offences: <ul style="list-style-type: none"> • To provide for a statutory, gender-neutral definition of rape. • To abolish the common law presumption that a boy under fourteen years is incapable of committing rape or other offence of vaginal or anal intercourse. • To increase the penalty for incest and widen the categories of prohibited relationships.

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BEFORE PARLIAMENT				
#	NO	MINISTRY	NAME OF LEGISLATION	PURPOSE
10.	1	MFPS	Bank of Jamaica (Amendment) Bill	To establish new limits for the legal tender of coins in any one transaction.
11.	2	MFPS	Betting, Gaming & Lotteries (Amendment) Bill	To allow for the grant of licences to operators of commercial bingo and to levy a tax on the gross proceeds of each event as well as the winnings. Strengthen regulatory framework and the rules governing licensed operators. Improve the fairness of the conduct of race meets. To remove the different number of taxes that now prevail in the Betting & Gaming industry and introduce a gross profit tax Instead; To provide for a fee structure for administration of prize competitions.
12.	3	MFPS	Casino Gaming Bill	To establish a regulatory framework and taxation regime for casino gaming
13.	4	MFPS	Credit Reporting Bill	To establish licensing system for a credit bureau
14.	5	MFPS	Customs (Amendment) Bill	To address collusion and bribery in respect of custom officers, to shifting of the evidential burden to the defendant and to provide for the admissibility of evidence to prove contents of documents where it is established that the maker of the document is unable or unwilling to appear before the court.
15.	6	MFPS	Financial Investigations Division Bill <i>Companion Legislation</i> Customs (Amendment) Bill Revenue Administration (Amendment) Bill	To re-establish Revenue Protection Department as department of MFPS; To establish the Financial Investigations Division as a department of government to investigate financial crimes, with functions to include maintaining intelligence databases on financial crimes, compiling statistics etc.
16.	7	MLSS	Labour Relations and Industrial Disputes (Amendment) Bill	To facilitate hearing of disputes involving the non-unionised worker by the Industrial Disputes tribunal; increase the number of Deputy Chairmen who may be appointed by the Tribunal; give the Minister the power to amend the Second Schedule (which provided for the constitution of the Tribunal) by Order subject to affirmative resolution; and correct an error appearing in regulation 6(4) of the Labour Relations and Industrial Disputes Regulations, 1975.
17.	8	MNS	Constabulary Force (Interim Provisions for Arrest and Detention) Bill	To temporarily extend (for a period of one year) the provision of sections 50B and 50F of the Constabulary Force Act. To allow for the Police to detain persons without charge for up to 72 hours
18.	9	MNS	Firearms (Amendment) Bill (No.2)	To make similar provisions to the Offences Against the person Act where the court may hand down a sentence of 15 years in cases of serious crimes.
19.	10	MNS	Parole (Amendment) Bill	To provide that persons who have been sentenced to imprisonment for life, or for a period of 15 years or more, for specified firearms offences, shall not be eligible for parole until after having served a period of not less than ten years of the sentence.

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BEFORE PARLIAMENT				
#	NO	MINISTRY	NAME OF LEGISLATION	PURPOSE
20.	11	MOJ	Bail (Amendment) Bill	To effect a delay or deferral in the consideration of bail for 60 days and place the onus on the accused to show cause why he should be granted bail.
21.	12	MOJ	Bail (Interim Provisions for Specified Offences) Bill	To provide for person charged with specified offence to be entitled to bail only after expiration of a period of 60 days from date of charge and would apply to persons who are charged a second time for the prescribed offences and that are repeat offenders.
22.	13	MOJ	Charter of Rights and Freedoms (Constitutional Amendment) Bill	To amend Chapter 3 of Constitution to provide for a Charter of Rights and Freedoms
23.	14	MOJ	Corruption Prevention (Special Prosecutor) Bill	1. To repeal the Corruption (Prevention) Act and the Parliament (Integrity of Members) Act; and to provide for the establishment of the Office of the Special Prosecutor for Corruption as a Commission of Parliament 2. To remove requirement for persons who were elected or reappointed as Parliamentarians following the dissolution of Parliament to furnish a statutory declaration of assets, liabilities and income as at the date of such re-election or re-appointment
24.	15	MOJ	Cybercrimes Bill	To provide enabling legislation for handling criminal activities relating to internet and computer; to specifically address Cybercrimes; to make consequential amendments to the Interception of Communications Act, the Mutual Assistance (Criminal Matters) Act and the Proceeds of Crime Act.
25.	16	MOJ	Independent Commission of Investigations Bill	To improve the current system of investigations into public complaints concerning misconduct by members of the Security Forces by repealing the Police Public Complaints Act and appointing an Independent Commission of Investigations.
26.	17	MOJ	Offences Against the Person (Amendment) Bill	To provide for minimum custodial sentence of 15 years for a person convicted before Circuit Court of the offences of shooting with intent to do grievous bodily harm and wounding with intent , with the use of a firearm
27.	18	MTW	Public Passenger KMTR (Jamaica Urban Transit Company Limited Third Party Insurance Scheme) (Validation and Indemnity) Bill	(i) To validate and confirm the operation in good faith by the Jamaica Urban Transit Company Limited (JUTC) during the period when it was operating. (ii) To indemnify the JUTC and all other persons against consequential liability
28.	19	OPM (LG)	Registration (Strata Titles) (Amendment) Bill	Provide for improved management of strata properties and the resolution of disputes with strata properties and to establish Commission of Strata Corporations and Strata Appeals Tribunal

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APPROVED FOR TABLING				
#	NO	MINISTRY	NAME OF LEGISLATION	PURPOSE
29.	1	MFPS	Industrial & Provident Societies (Amendment) Bill	To strengthen the regulatory framework governing financial institutions by restricting these organisations from engaging in banking business without authority of the Minister
30.	2	MFPS	Tourist (Duty Free) Shopping System (Change of Name) (Amendment) Bill	To provide for establishment of duty free shopping system for arriving passengers. To include provisions re penalties, loose stones to be included in definition of approved goods, revision of issues related to contents of the sales slip
31.	3	MOJ	Jury (Amendment) Bill (No.2)	To provide for majority verdict of the jury to be accepted in cases of murder where the sentencing options do not include the death penalty.

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LEGISLATION COMMITTEE STAGE				
#	NO	MINISTRY	NAME OF LEGISLATION	PURPOSE
32.	1	MAF	Banana Insurance (Amendment) Bill	Restructuring of the administrative framework to allow for delegation of the duties of the Banana Board to any body corporate or company having the requisite expertise in banana sales and marketing insurance and the effecting of contractual insurance on existing banana cultivations over and above the statutory limit
33.	2	MFPS	Constabulary Force (Amendment) Bill	To allow for the linking of service between the Special Constabulary Force and the Jamaica Constabulary Force
34.	3	MH	Professions Supplementary to Medicine (Amendment) Bill	To provide for increases in fines
			Health & Allied Professions and Services (Increase in Monetary Penalties) Bill	To address the issue of fines in all acts relating to the health portfolio.
35.	4	MH	Radiation (Safety & Control) Bill	To regulate safety of radiation to users & unsuspecting public
36.	5	MTW	Road Traffic (Amendment) Bill (No.2)	To establish Island Traffic Authority as a statutory body
37.	6	MTW	Transport Authority (Collection of Fees) (Validation and Indemnity) Bill	Validation of the Collection of Fees
38.	7	MWH	Water Resources (Amendment) Bill Flood Water Control (Amendment) Bill	To rationalise responsibility for Flood Water Control between WRA and MTW; repeal Flood Control Water Act
39.	8	MYSC	National Library of Jamaica Bill Institute of Jamaica (Amendment) Bill	To give full autonomy to National Library of Jamaica

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DRAFTING STAGE				
#	NO	MINISTRY	NAME OF LEGISLATION	PURPOSE
40.	1	MAF	Animal/Disease & Importation of (Amendment) Bill	Facilitate importation, distribution, storage of animal products including milk and by-products w.r.t. disease and safety
41.	2	MAF	Aquaculture Inland & Marine Products & By-products (Inspection, Licensing & Export) (Amendment) Bill	To plug loopholes discovered in Act since opening of conch season in 2001 and make provisions for import
42.	3	MAF	Fishing Industry (Amendment) Bill	Repeal & replace existing Act
43.	4	MAF	Plant Genetic Resources for Food and Agriculture Bill	To make Jamaica compliant with the International Treaty on Plant Genetic Resources for Food and Agriculture (TPGRFA)
44.	5	ME	Council of Community Colleges of Jamaica (Amendment) Bill	To enable institution to grant, confer and rescind academic awards
45.	6	ME	National Parenting Support Commission Bill	To provide for establishment of Parenting Support Commission
46.	7	MEM	Petroleum (Quality Control) Bill Petroleum (Quality Control) Regulations	To provide for the regulation of the petroleum sector as it relates to petroleum safety
47.	8	MEM	Petroleum and Oil (Conveyance) Bill	To provide for safety measures for conveyance of petroleum
48.	9	MEM	Petroleum and Oil Fuel (Landing and Storage) (Amendment) Bill	To provide for the regulation of the Petroleum Sector as it pertains to the storage of petroleum. Bureau of Standards to be responsible for testing imported petroleum.
49.	10	MEM	Quarries Control Bill	To increase the fines and penalties for illicit quarrying and to introduce requirements for quarries above a given size to employ a Quarry Manager among other amendments aimed at strengthening the quarrying regulatory framework.
50.	11	MFAFT	Convention of Prohibition of Development, Production, and Stockpiling of Bacteriological and Toxin Weapons and their Destruction	To implement the obligations under the Convention and those established under the United Nations Security Council
51.	12	MFAFT	Convention on the Prevention and Punishment of Genocide	To implement the obligations under the Convention
52.	13	MFAFT	Convention Prohibition of the Use, Stockpiling, Production and Transfer of Anti-Personnel Mines on their Destruction Bill	To implement obligations under the Convention
53.	14	MFAFT	Geneva Conventions and its Protocols Bill	To provide for implementing the obligations under the Convention

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#	NO	MINISTRY	NAME OF LEGISLATION	PURPOSE
54.	15	MFAFT	Inter-American Agreement Against Illicit Manufacturing of & Trafficking in Arms, Ammunition, Explosives and other Related Materials Bill	To implement the obligations under the Convention
55.	16	MFPS	Constables (Special) (Amendment) Bill	To increase minimum gratuity payable for officers killed on duty (Part IV of Act)
56.	17	MFPS	Deposit Insurance (Amendment) Bill	Cancellation of tax exemption enjoyed by certain public enterprises
57.	18	MFPS	Deposit Insurance (Amendment) Bill	To provide for enhanced depositor entitlements and improved operating efficiencies of the Deposit Insurance Scheme.
58.	19	MFPS	Financial Administration & Audit (Amendment) Bill (No.1)	To convert the existing Handbook of Public Sector Procurement into a body of Regulations with accompanying penalties under Section 19B of the FAA Act. To repeal the Financial Administration (Supplies) Regulations of 1963. To amend Section 20 of the FAA Act to allow for surcharge of public officers found culpable for mis-procurement, i.e., breaches of the procurement procedure & guidelines.
59.	20	MFPS	Income Tax (Amendment) Bill	To increase the income tax thresholds at July 1, 2005 and January 1, 2006.
60.	21	MFPS	Payments Clearing and Settlement Bill BOJ (Amendment) Bill – <i>Companion Legislation</i>	To provide for legal framework for BOJ to regulate Jamaica's payments systems
61.	22	MFPS	Pensions (Superannuation Funds and Retirement Schemes) (Amendment) Bill Income Tax (Amendment) Bill	Regulation of National Pension Schemes – vesting, portability and indexation. To ensure conformity with amendment to Pensions (Superannuation Funds and Retirement Schemes) Act.
62.	23	MFPS	Public Bodies (Management & Accountability) (Amendment) Bill	To strengthen the existing legislative framework of accountability in public bodies, including compliance with government's procurement rules. To implement a financial distribution policy for self-financing public bodies.

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#	NO	MINISTRY	NAME OF LEGISLATION	PURPOSE
63.	24	MFPS	Retiring Allowances (Legislative Service) (Amendment) Bill	Validation of Acts of Parliamentarians where court overturns elections. The Bill will state: (a) where the election of a legislator has been overturned by decision of the Court in circumstances where no finding of electoral malpractice has been leveled by the Court against the legislator, the service by that legislator between the election and the decision of the Court may be taken into account in determining the eligibility of the legislator to receive a retiring allowance, provided that legislator has made the prescribed contributions over that period; (b) where a legislator enters into office pursuant to the decision of the Supreme Court on an Election Petition, the period between the election and that legislator's assumption of office shall be taken into account in determining the eligibility of that legislator to receive a retiring allowance, provided that legislator made the prescribed contributions to cover that period.
64.	25	MFPS	Revenue Administration (Amendment) Bill	To allow Appeals Department to deal with certain matters in the Revenue Court
65.	26	MFPS	Road Traffic (Amendment) Bill	To increase fixed penalties as well as fines under the Act. To validate action under the Provisional Collection of Tax Act
66.	27	MFPS	Stamp Duty (Amendment) Bill	To allow for stamping of document by means of digital imprinting
67.	28	MH	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
68.	29	MH	Childcare and Protection (Children's Homes) Validation and Indemnity Bill Childcare and Protection (Advisory Council) Regulations (Validation and Indemnity) Bill	To validate and confirm acts done in good faith by CDA in enforcing the provisions of the regulations ad to indemnify persons from liability in respect of such acts as the regulations were published before parliamentary approval was received
69.	30	MH	Food and Drugs (Amendment) Bill Food and Drugs (Amendment) Regulations	To include and define over-the counter products and five new categories of substances for human consumption.
70.	31	MH	Mental Health (Amendment) Bill	To provide for treatment of patients by Mental Health Officers without their consent.
71.	32	MH	Nurses and Midwives (Amendment) Bill Nurse Practitioner Bill Pharmacy (Amendment) Bill	To establish Nurse Practitioner Council to regulate control and monitor all categories of Nurse Practitioner. To authorise prescribing by Nurse Practitioner of specified drugs

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#	NO	MINISTRY	NAME OF LEGISLATION	PURPOSE
72.	33	MIIC	Companies (Amendment) Bill	<ul style="list-style-type: none"> i. Improve transition arrangements for those companies registered under 1965 Act ii. Section 354 of the Act to be amended to provide that the Companies Act, 2004 will only apply to companies that file Articles of Continuance pursuant to section 396 of the Act; Companies will be required to file Articles of Continuance within 3 days from the date of the amending Act, to allow ample time for the transition; the fees charged by the Companies Office of Jamaica for the Articles of Continuance to be \$2,000.00; the Companies Office of Jamaica be permitted to issue Certificates of Continuance as an administrative document. iii. To improve the effectiveness of the Companies Act
73.	34	MIIC	Copyright (Amendment) Bill	To ensure Jamaica's accession to the WIPO Copyright Treaty; to incorporate provisions of the WIPO copyright Treaty which seeks to protect authors, composers and creators of literature.
74.	35	MIIC	Customs Duties (Dumping & Subsidies) (Amendment) Bill	To bring Act in close harmony with WTO anti-dumping agreement
75.	36	MIIC	Fair Competition (Amendment) Bill	To improve efficacy of Act, following 2001 case of Jamaica Stock Exchange vs. Fair Trading Commission
76.	37	MIIC	Geographical Indications Bill and Regulations	To ensure effective legal protection of geographical indications
77.	38	MIIC	International Finance Company (Income Tax Relief) (Change of Name & Amendment) Bill	To widen scope of services/provide increased tax benefits
78.	39	MIIC	Jamaica Export Free Zones (Amendment) Bill	To provide GCT relief on local cost incurred by Free Zone Operators
79.	40	MIIC	Patents & Industrial Designs Bill	To replace and repeal Patents Act. To bring Act into conformity with international standards of protection for inventors and innovators.
80.	41	MIIC	Processed Foods (Amendment) Bill	To provide for use of internationally recognised systems.
81.	42	MIIC	Protection of New Plant Varieties Bill	For consistency with bilateral Intellectual Property Agreement with USA & WTO TRIPS. To protect the rights of breeders of new plant varieties.
82.	43	MIIC	Trade Marks (Amendment) Bill	To improve efficiency of Act and amend typographical errors
83.	44	MLSS	Foreign Nationals & Commonwealth Citizens (Amendment) Bill & Regulations	<ul style="list-style-type: none"> (i) To facilitate entry of certain categories of CARICOM Nationals into Jamaica without need for work permits pursuant to CSM. To increase fines and penalties; (ii) To allow future amendments to these to be done by Ministerial Order.

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DRAFTING STAGE				
#	NO	MINISTRY	NAME OF LEGISLATION	PURPOSE
84.	45	MLSS	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.
85.	46	MLSS	National Disabilities Bill	To provide for further protection of rights of persons with disabilities
86.	47	MLSS	Occupational Health & Safety Bill	To provide for safety standards at workplace
87.	48	MNS	Constable (Special) (Amendment) Bill	To consolidate legislation governing Island Special Constabulary Force (ISCF) in order to give effect to new mandate for maintaining public order
88.	49	MNS	Constabulary Force (Amendment) Bill	To grant legal status to Jamaica Police Officers Association
89.	50	MNS	DNA Evidence Bill	To provide for the taking of DNA samples from persons arrested in relation to specified offences
90.	51	MNS	Port Security Bill	To grant jurisdiction to MNS for port security standards and regulations and to set up Security Agency
91.	52	MNS	Private Security Regulations Authority (Amendment) Bill	To update legislation to respond to developments within the industry
92.	53	MNS	Road Traffic (Amendment) Bill	To allow for use of prescribed equipment such as speed measuring devices and to introduce additional ticketable offences
93.	54	MNS	Road Traffic (Imposition of Fines) (Validation) Bill	To validate action taken by relevant authorities pursuant to Provisional Collection of Tax (Road Traffic) Order 2002 and subsequent Orders enacted in 2003 & 2004 and to increase penalties.
94.	55	MOJ	Committal Proceedings Bill	To make provisions for the elimination of Committal Proceedings in the Resident Magistrate Courts.
95.	56	MOJ	Constitutional Amendments	To provide for: I. Term Limits for Prime Minister (Two Consecutive Terms) II. Removal of power from the Prime Minister to call elections III. Establishing fixed election dates
96.	57	MOJ	Coroner's (Amendment) Bill (No.2)	Introduction of Court Reporters.
97.	58	MTW	Jamaica Railway Corporation (Amendment) Bill	To harmonise Act with provisions of OUR Act; to make provisions for privatisation of railway operations
98.	59	MTW	Port Authority of Jamaica Bill	Repeal & replace existing Act; to ensure that the legislation relating to the Authority was in keeping with the Shipping Act, 1998; bring several acts relating to maritime activities and port operations; repeal a number of existing Acts, viz, the Harbours Act, the Harbour Fees Act, the Harbour Lights and Lighthouse Act and the Port Authority Act; address the weakness in the powers and functions of the PAJ.

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DRAFTING STAGE				
#	NO	MINISTRY	NAME OF LEGISLATION	PURPOSE
99.	60	MTW	Public Passenger KMTR (Amendment) Bill Public Passenger Rural Areas (Amendment) Bill Transport Authority (Amendment) Bill	To consolidate the Public Passenger (KMTR) Act and Public Passenger (Rural Areas) Act to remove duplication; the Transport Authority Act to include all provisions relating to public transport vehicles which were removed from the Road Traffic Act consequent on its amendment; Transport Authority Act to be consistent with the Road Traffic Act with regard to monitoring and regulatory functions for public passenger vehicles; consequential amendments to be made to any other Act to effect changes to Road Traffic Act & regulations.
100.	61	MTW	Road Traffic (Amendment) Bill (No.1)	To provide for comprehensive revision of Act; To repeal and replace the current Road Traffic Act and Regulations (1938) and Companion Acts and Regulations
101.	62	MTW	Shipping (Pollution and Control) Bill [Marine Pollution]	To implement for 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.
102.	63	MTW	Transport Services Economic Regulations Bill	To implement a new legislative regime where the powers to set rates, fares and tariffs in the public passenger sector are vested in OUR
103.	64	MWH	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
104.	65	MWH	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
105.	66	MYSC	Entertainment Industry (Encouragement) (Amendment) Bill	To provide incentives to approved entertainment operators similar to those proposed for motion picture producers
106.	67	OPM (E)	Biosafety Bill	To put in place a regulatory system for the safe management of Genetically Modified Organisms.
107.	68	OPM (E)	Ozone Layer Protection Bill	To provide for phase-out of importation of Ozone Depleting Substances (ODS) and to bring together existing orders & regulations concerning controls of ODS
108.	69	OPM (IT)	Cinematograph (Amendment) Bill	To revamp the legislation to bring in line with the present approaches to regulation of the film distribution and exhibition industry and to provide necessary statutory guidelines.
109.	70	OPM (IT)	Postal Services Bill [Post Office (Repeal) Bill]	(i) To repeal Post Office Act; (ii) Facilitate modernisation & commercialisation of post offices by transferring the Postal Corporation into a statutory body, Jamaica Post.

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DRAFTING STAGE				
#	NO	MINISTRY	NAME OF LEGISLATION	PURPOSE
110.	71	OPM (LG)	Crown Property (Vesting) (Amendment) Bill	To establish National Divestment Committee to advise Minister of Land and Environment; to provide for the Minister making an Order to exempt certain categories of divestment being routed through the Committee.
111.	72	OPM (LG)	Disaster Management & Mitigation Bill	To provide for a strengthened legislative framework for disaster management. (To replace ODPEM Act.)
112.	73	OPM (LG)	Negril Green Island Area Local Planning Authority (NGIALPA) Validating Legislation	To assist in the proper setting up of the NGIALPA as a Planning Authority and to exempt it from any legal action that might be taken against it from 1981. This is necessary as there is no evidence to indicate that the Authority was properly set up from its inception as a Planning Authority.
113.	74	OPM (LG)	Real Estate (Dealers & Developers (Amendment) Bill	To improve legislative framework and improve the ability of the Real Estate Board to regulate real estate practitioners and better protect purchasers under pre-payment contracts.

**LEGISLATION PROGRAMME 2009/2010
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DRAFTING INSTRUCTIONS ISSUED				
#	NO	MINISTRY	NAME OF LEGISLATION	PURPOSE
114.	1	MAF	Plants (Quarantine) (Amendment) Bill	To harmonise the sanitary and phytosanitary measures with WTO requirements
115.	2	MFAFT	Hague Convention on Civil Aspects of International Child Abduction Bill	To implement obligations under the Convention.
116.	3	MFAFT	Legislation to regulate diving activities	To regulate commercial diving activities and diving equipment, safety standards etc.
117.	4	MH	Public Health (Amendment) Bill	To provide for measures to regulate and control tobacco use
118.	5	MH	Rotterdam Convention on the Informed Consent Bill	To provide for prior informed consent for hazardous chemical
119.	6	MIIC	Cooperative Societies (Amendment) Bill (No.1)	(i) To place the activities of credit unions within the regulatory ambit of BOJ; develop youth credit unions, register deposit taking businesses, amalgamation, conversion and acquisitions (ii) To restrict the deposit taking activities of the Co-operative Societies.
120.	7	MLSS	Minimum Wage (Amendment) Bill	To amend section 3 of the Minimum Wage Act to exclude the operation of Section 29(b) of the Interpretation Act on the fine and penalty under the National Minimum Wage Orders.
121.	8	OPM (IT)	Data Protection Bill	To deal with protection of the privacy of individuals in relation to personal data and to regulate the collection, processing, keeping, use and disclosure of certain information relating to individuals and to provide for matters incidental or connected therewith.

**LEGISLATION PROGRAMME 2009/2010
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APPROVAL FOR ISSUE OF DRAFTING INSTRUCTIONS				
#	NO	MINISTRY	NAME OF LEGISLATION	PURPOSE
122.	1	MAF	Agricultural Development Corporation (Amendment) Bill	To amend the Act to, inter alia, strengthen/ widen the Corporation's functions/powers; rename the Agricultural Development Corporation to the Agro-Investment Corporation in keeping with the merger of the Agricultural Support Services and Productive Projects Fund Limited (ASSPPFL) with the Agricultural Development Corporation (ADC) and the attendant structural arrangements
123.	2	ME	Education (Amendment) Bill (No. 1)	<ul style="list-style-type: none"> • To establish the Jamaica Teaching Council (JTC) as a statutory body; • To repeal the relevant Sections of the Education Act and Regulations to allow the JTC to be the administrative body for the quality assurance and regulation of the teaching profession with regard to: <ul style="list-style-type: none"> ○ teacher registration; ○ disciplining and hearing of appeal of charges; ○ qualification assessment; ○ appointment of principals, vice principals and teachers to positions of special responsibility; and ○ other matters pertaining to the professional development of teachers.
124.	3	ME	Mico University College Scheme Order (2006) (Amendment) Bill	To include the positions of Chancellor and Pro-Chancellor, recognize the position of Professor, and provide for the membership of the Board of Directors to comprise not more than twenty members.
125.	4	ME	National Education Trust	To provide for the establishment of National Education Trust through which an Education Endowment Fund would be operated.
126.	5	ME	University of the West Indies (Mona Campus) (Security) (Amendment) Bill	To empower the Campus' Finance and General Purpose Committee with the authority to approve activities referred to in Section 13 (a) to (d) of the Act.
127.	6	MFAFT	Cotonou Agreement (Revised) Bill	To implement the revised Cotonou Agreement.
128.	7	MFAFT	Refugee Bill	To ensure that Jamaica meets its obligations under the United Nations Convention Relating to the Status of Refugees of 1951 and its 1967 Protocol. (Legislative implementation of the Refuge Policy for Jamaica)

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APPROVAL FOR ISSUE OF DRAFTING INSTRUCTIONS

#	NO	MINISTRY	NAME OF LEGISLATION	PURPOSE
129.	8	MFPS	Betting, Gaming and Lotteries (Amendment) Bill (No. 2)	<p>To impose a rate of gross profit tax on pool betting activity not now covered under the current provisions as follows:</p> <p>(a) rates of gross profit tax for the new category of operators in the gaming industry; namely "promoter – other and bookmakers involved in sports betting activity":</p> <p>(i) <u>Payment to the Consolidated Fund</u> Pool Betting - Promoter (other) - 9% gross profit Tax Sports Betting - 7% gross profit tax (reduced from the 8% proposed in the Submission)</p> <p>(ii) <u>Contribution to Regulators</u> Pool Betting - Promoter (other) - 5.5% gross profit tax Sports Betting - 1% gross profit tax</p> <p>(iii) <u>Contribution to the Development of Sports</u> Pool Betting - Promoter (other) - 2% gross profit tax The addition of a Sports Betting 1% gross profit tax to go to the CHASE Fund</p> <p>(iv) <u>Definition of Gross Profit Tax</u> Pool Betting - Promoter (other) and Sports Betting - Gross profit equal gross revenue minus (purses and the payment of dividends)</p> <p>(b) rate of gross profit tax in respect of:</p> <p>(i) Pool Betting Promoter (other)</p> <p>(ii) Bookmakers engaged in sports betting activities</p> <p>(iii) Gaming machines – as stated in the Provisional Collection of Tax (Betting, Gaming and Lotteries) Order</p> <p>(c) the amendment of Betting Gaming and Lotteries Act to give effect to the new rates starting 1 September, 2009 and for permanent legislation to be drafted in respect of (a) and (b).</p>
130.	9	MFPS	Customs (Amendment) Bill	To enable the implementation of the CARIFORUM/EC Economic Partnership Agreement to give effect to duty free access on entry into Jamaica of all goods to which Jamaica had made such commitments.
131.	10	MFPS	Customs Tariff Resolution (1979) (Amendment) Bill	To amend the Customs Tariff Resolution (1979) to effect the reduction of the Common External Tariff on Portland Grey Cement of tariff #2523.291 from 40% to 15%.
132.	11	MFPS	Financial Administration & Audit (Amendment) Bill (No.3)	<p>To amend section 24 (E) to:</p> <p>(a) repeal those sections which were amended to facilitate an agreement for deferred financing; and</p> <p>(b) include a transitional provision to address those Deferred Financing Facility arrangements that were outstanding.</p>

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APPROVAL FOR ISSUE OF DRAFTING INSTRUCTIONS				
#	NO	MINISTRY	NAME OF LEGISLATION	PURPOSE
133.	12	MFPS	Insurance (Amendment) Act	To provide for harmonisation of certain provisions with other financial sector legislation and to strengthen the framework for the insurance industry.
134.	13	MFPS	International Financial Services Centre	To provide for the establishment of a public body as the vehicle through which the implementation and marketing activities are to be pursued
135.	14	MFPS	National Contracts Commission Bill	To create an independent National Contracts Commission
136.	15	MFPS	Revenue Administration (Amendment) Bill <i>Companion Acts:</i> Contractor Levy Act; Customs Act; Educations Tax Act; GCT Act; Income Tax Act; Property Tax Act; Stamp Duty Act; Transfer Tax Act.	To impose stiffer fines and penalties on personnel who were tax officials and who had been arrested and convicted of adding and abetting a taxpayer to evade taxes or commit fraud.
137.	16	MFPS	Review of Existing Debt Management Legislation	To review of public debt legislation was to either amend existing legislation or introduce new legislation to: (i) ensure that Jamaica's public debt was reduced to, and sustained at, prudent levels; (ii) require an annual ceiling on new borrowings to be established by a resolution of Parliament at the time of the budget; (iii) require any borrowing during the fiscal year to be reported to Parliament on a quarterly basis; (iv) satisfy conditions agreed to in the Financing Agreement for Debt Reduction and Growth Enhancement between the Government of Jamaica and the European Union (EU); (v) provide the framework for greater transparency concerning the finances of Government.
138.	17	MFPS	Stamp Duty (Amendment) Bill Transfer Tax (Amendment) Bill	The reduction in the rates of stamp duty and transfer tax to 3% and 4%, respectively, on real estate transactions and other securities.
139.	18	MFPS	Travel Tax (Amendment) Bill	To increase in the Departure Tax payable by passengers travelling from the island from J\$1,000.00 to the Jamaican equivalent of US\$20.00 per person per ticket.
140.	19	MFPS	Urban Renewal (Tax Relief) (Amendment) Bill	To enhance and encourage the redevelopment of the Downtown Kingston area and other blighted areas by having areas designated by the Minister responsible for finance.
141.	20	MH	National Registration Bill	To provide for the compulsory registration of all citizens ordinarily resident in Jamaica

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APPROVAL FOR ISSUE OF DRAFTING INSTRUCTIONS				
#	NO	MINISTRY	NAME OF LEGISLATION	PURPOSE
142.	21	MIIC	Companies (Amendment) Bill (No. 2)	To effect a reduction in the fees for companies limited by guarantee.
143.	22	MLSS	National Insurance (Amendment) Bill	To enable persons born prior to 1 January 1908 to qualify for a special pension w.e.f. 1 April 2008.
144.	23	MOJ	Convention Against Corruption Bill	To enact legislation to ensure full compliance with the Convention: Prevention (inclusive of investigation); Criminalisation; International Cooperation; Asset Recovery
145.	24	MT	Hotels Incentives (Amendment) Bill	(i) To provide clarity in definitions given in some aspects of the Act; (ii) To request "approved building plans" instead of 'certified drawings'; (iii) To encourage investors to purchase locally items included under the Second Schedule of the HIA; (iv) To give the Minister the authority to amend the Second Schedule of the HIA.
146.	25	MWH	National Water Commission (Amendment) Bill	Enhancement of benefits under new pension scheme
147.	26	OPM	Bauxite (Production Levy) (Amend) Bill	To regulate the legal status of the Capital Development Fund, making it a statutory body.
148.	27	OPM (LG)	Disaster Preparedness and Emergency Management Act	To amend the Act to increase the maximum number of Board Members to fourteen (14); the appointment of a representative of the Jamaica Constabulary Force, the Jamaica Defence Force and the Jamaica Fire Brigade as members.
149.	28	OPM (LG)	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.

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POLICY BEING DEVELOPED				
#	NO	MINISTRY	NAME OF LEGISLATION	PURPOSE
150.	1	MAF	Agricultural Credit Board (Amendment) Act	To amend the Act to, inter alia, transfer functions of the Agricultural Credit Board and wind up the operations of the Board
151.	2	MAF	Cocoa Industry Board (Amendment) Act	To amend the Act to ensure that the Board's commercial functions are separated from its regulatory.
152.	3	MAF	Coffee Industry Regulation (Amendment) Act	To allow the Coffee Industry Board to, inter alia, charge compliance and testing fees for testing samples of green coffee beans and finished coffee products intended for import into Jamaica.
153.	4	MAF	Milk Production, Export & Import of Milk/Milk Products Bill	To provide legislation for the regulation of production, processing etc, of milk and its by-products
154.	5	ME	Apprenticeship (Repeal) Bill HEART Trust (Amendment) Bill	To repeal the Apprenticeship Act, 1955 and amend specific sections of the HEART Act, 1982 to grant safeguard for certain provisions in the Apprenticeship Act. To update schedules and monetary amounts in the HEART Act and empower the Minister to amend or vary any fines under the Act by order, subject to affirmative resolution
155.	6	ME	Consortium of Institutions for Teachers Education Bill	To provide for institutions to offer teacher education programmes in Jamaica to operate as a degree granting entity
156.	7	ME	Curriculum and Assessment Agency Bill	To provide for the establishment of the Curriculum and Assessment Agency responsible for providing an integrated curriculum and national assessment system relevant to the needs of all learners at each phase of their education.
157.	8	ME	Education (Amendment) Bill	To review the Education Act and Regulations in order to make amendments regarding recommendations for the introduction of alternative methods of discipline and for the abolition of corporal punishment at the primary and secondary levels of the education system
158.	9	ME	National Education Inspectorate Bill	To provide for the establishment of the National Education Inspectorate (NEI) as a statutory body responsible for: (i) the inspection of all schools, Regional Education Authorities and other educational service providers; and (ii) the provision of evidence-based advice to the Minister of Education to inform policy development.
159.	10	ME	Regional Educational Authorities Bill	To amend the Education Act, 1965, to empower the Minister to designate by Order, the establishment of five (5) Regional Education Authorities. These Authorities will be responsible for the provision of high quality, innovative and participatory education services for their respective regions.
160.	11	ME	Technical and Vocational Education (TVET) College Scheme Order	To rebrand the Vocational and Technical Development Institute (VTDI) and establish it as a College.

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POLICY BEING DEVELOPED				
#	NO	MINISTRY	NAME OF LEGISLATION	PURPOSE
161.	12	ME	Tertiary Education Commission Bill	To provide for the establishment of a National Oversight Body for Tertiary Education in Jamaica.
162.	13	MEM	Minerals Development Bill	To create a single, "one-stop" legislation to address minerals development (mining and quarrying). Given the increased demand for more effective environmental stewardship within the Minerals Industry, especially from the quarries (the Industrial Minerals Sector), it will bring the demands for mining to the exploitation of quarried materials. Also, it will set quarrying in a more business-friendly and business-focused environment. This proposed legislation would replace the existing Mining Act and the Quarries Control Act.
163.	14	MEM	Minerals Industry (Encouragement) Bill	To create a single legislation to address financial and development issues throughout the minerals industry. It is intended to assist in creating a broad-based Minerals Industry instead of the one dominated by the Bauxite and Alumina Sector.
164.	15	MFAFT	Rome Statute Establishing the International Criminal Court	To signify Jamaica's consent to be bound and to implement its obligations
165.	16	MFAFT	Terrorism Prevention (Amendment) Bill	To implement amendments to Terrorism Treaties
166.	17	MFAFT	Treaty on the Non-Proliferation of Nuclear Weapons	To implement obligations under the Treaty
167.	18	MFPS	Alternative Investment Schemes Bill	Policy to be developed for review and determination of an appropriate legislation and regulatory framework for non-tradable securities
168.	19	MFPS	Bank of Jamaica (Amendment) Bill	To make the central bank independent
169.	20	MFPS	Casino Gaming Bill	To address issues in the current Bill: (a) the absence from the Bill of an express limit on the number of integrated resort developments that would be approved; (b) in the clauses governing exclusivity, the wide discretionary authority of the Minister responsible for finance re the amendment of the terms or revocation of a licence; and (c) the requirement that the non-refundable advanced casino levy be based on a pre-estimate of three years future profit.
170.	21	MFPS	Environmental (Protection) Levy Bill	To impose an environmental levy on imports
171.	22	MFPS	General Consumption Tax (Amendment) Bill	To impose a Special Consumption Tax on the sale of fuel ethanol to the monitoring public
172.	23	MFPS	Income Tax (Amendment) Bill	To amend Section 12 (a) w.r.t payment of gratuity to employees in the accommodation sector of the Tourism Industry.

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POLICY BEING DEVELOPED				
#	NO	MINISTRY	NAME OF LEGISLATION	PURPOSE
173.	24	MFPS	Income Tax (Amendment) Bill	To amend Section 31A to add to list of prescribed persons, investment schemes which pay interest on investments to investors.
174.	25	MFPS	Motor Vehicles Insurance (Third Party Risks) (Amendment) Bill	To increase amount payable from insurance coverage for health care.
175.	26	MFPS	Retiring Allowances (Legislative Service) (Amendment) Bill	To allow for service as a Parish Councillor to be taken into account in determining a legislator's retiring allowance, in the absence of the Minister of Finance and the Public Service; with instructions that further information be provided on the basis for determining eligibility of legislators and Parish Councillors for retiring allowance and the formulae for the calculations.
176.	27	MH	Children (Adoption of) (Amendment) Bill	To revise and improve adoption process
177.	28	MHIC	Consumer Protection (Amendment) Bill	To provide for greater protection of the consumer by widening the scope of the Act; to allow the Consumer Affairs Commission to have greater litigation powers.
178.	29	MLSS	Apprenticeship (Amendment) Bill Holiday (Public General) (Amendment) Bill National Minimum Wage (Amendment) Bill Shops and Offices(Amendment) Bill Women (Employment of) (Amendment) Bill	To amend in keeping with the flexi-time proposals.
179.	30	MNS	Aliens (Amendment) Bill	To harmonize legislation related to citizenship and immigration status.
180.	31	MNS	Anti-gang Legislation	To introduce new legislation to address gangs, participation in gangs and matters associated therewith.
181.	32	MNS	Constable (District) (Amendment) Bill	To rationalise the District Constables Movement to establish a Community Safety Officers Corp (CSOC).
182.	33	MNS	Fingerprint (Amendment) Bill	To increase the period of retention for prints that would have ordinarily destroyed under the existing law.
183.	34	MNS	Firearm (Amendment) Bill	To improve efficiency and effectiveness in operations of the Firearm Licensing Authority and introduce stiffer penalties for trading in illegal firearms and ammunition in line with international obligations.
184.	35	MT	Hotel Keeper's Liability (Amendment) Bill	To clearly define the hotel keeper's liability to guests; To increase sum of hoteliers liability to make it relevant.
185.	36	MT	Resort Cottages (Incentives) (Amendment) Bill	To provide clarity in definitions given to some aspects of the Act; etc.

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POLICY BEING DEVELOPED				
#	NO	MINISTRY	NAME OF LEGISLATION	PURPOSE
186.	37	MT	River Rafting Authority (Amendment) Bill and Regulations	(i) To be incorporated into the Tourism Industry Act; (ii) To repeal the River Rafting Authority Act and subsume responsibilities of the River Rafting Authority to the TPDCo.
187.	38	MT	Timeshare and Vacation Plan Bill	To encourage new investment into the development on "non-traditional" resort facilities such as Timeshare Development, Vacation Ownership and Horizontal Property Regimes.
188.	39	MT	Tourism Attractions (Incentives) Bill	To provide incentives to the attractions sector
189.	40	MT	Tourism Product Development Corporation (Amendment) Bill	(i) To be incorporated into the Tourism Industry Act; (ii) To give statutory status to the Tourism Product Development Company (TPDCo) to empower that organisation to assume product development standards/monitoring functions and inspection functions which were assigned to the Jamaica Tourist Board (JTB); (iii) To enable TPDCo to administer and monitor travel agencies and assume responsibility for the administration and financing of the River Rafting Authority and all licensing and product matters pertaining to River Rafting.
190.	41	MT	Tourist Board (Amendment) Bill	(i) To rename legislation Tourism Industry Act; (ii) To state Jamaica Tourist Board's renewed focus on licensing, marketing, promotion and research; and (iii) To enable the transfer of product development standards/monitoring functions and inspection functions to the Tourism Product Development Corporation.
191.	42	MTW	Gun Powder and Explosives (Amendment) Bill	To amend Act to make provisions for Regulations
192.	43	MTW	Main Roads (Amendment) Bill Road Traffic (Amendment) Bill	To allow for metrification of measurements in the Act and increased fines and removal of fines to Schedule
193.	44	MTW	Toll Road (Amendment) Bill	To amend Act to make provisions for Regulations; to provide for a single oversight agency.
194.	45	MWH	Trespass (Amendment) Bill	To improve management of squatting and increase outdated fines
195.	46	OPM	Access to Information (Amendment) Bill	To fulfil the statutory requirement for review of the Act
196.	47	OPM	Agricultural Credit Board (Amendment) Bill	To divest the Development Bank of Jamaica of its responsibility to monitor the PC Banks. To amend the Act to, inter alia, transfer functions of the Agricultural Credit Board and wind up the operations of the Board

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POLICY BEING DEVELOPED				
#	NO	MINISTRY	NAME OF LEGISLATION	PURPOSE
197.	48	OPM	Contractor General (Amendment) Bill	To correct certain deficiencies in the Act, in particular to enable the National Contracts Commission to enforce the provisions of the Act and to provide for legal sanctions for non-compliance by Government Agencies and Departments
198.	49	OPM	Jamaica Development Bank Act (Repeal) Bill	To wind up the Development Bank of Jamaica
199.	50	OPM	National Housing Trust (Amendment) Bill	To strengthen and modernize the legislative framework governing the management of the National Housing Trust's operations and its assets.
200.	51	OPM	Town and Country Planning (Amendment) Bill	Revise and update the Town and Country Planning Act (1999 revised)
201.	52	OPM (IT)	Access to Information (Amendment) Bill	To strengthen the ATI regime in keeping with recommendations to be made by the Joint Select Committee of the Parliament on completion of the review of the Act required by Statute
202.	53	OPM (IT)	Archives (Amendment) Bill	To legislate access to information generated by Government and reconcile provisions with Access to Information Act.
203.	54	OPM (IT)	Broadcasting and Radio Rediffusion (Amendment) Bill	To reform regulatory framework; increase financial sanctions available to the Minister in the Act and make consequential changes.
204.	55	OPM (IT)	Cinematograph (Amendment) Bill	To review the legislation to bring same in line with the present approaches to regulation of the Film (exhibition) industry
205.	56	OPM (IT)	Information Communication and Technology (ICT) Bill	To revise the Telecommunications Act 2000 to deal with post liberalization issues related to competition, consumer protection, regulations and emerging technologies.
206.	57	OPM (IT)	Official Secrets (Repeal and Replacement of) Bill	To repeal the existing Act and provide for the criminalization of the unauthorized disclosure of restricted categories of government information/documents.
207.	58	OPM (IT)	Radio & Telegraph Control (Amendment) Bill	To repeal the Radio & Telegraph Control Act
208.	59	OPM (IT)	Telecommunications (Amendment) Bill	To revise the Telecommunications Act 2000 to deal with post liberalisation issues related to competition, consumer protection, regulations and emerging technologies.
209.	60	OPM (LG)	Constitutional Amendment Bill	To have Local Government entrenched in the Constitution.
210.	61	OPM (LG)	Counties and Parish Council (Amendment) Bill	To designate Portmore as the 15 th Parish.
211.	62	OPM (LG)	Fire Brigade (Amendment) Bill	To revise the Act to improve and modernize the existing legislative framework

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POLICY BEING DEVELOPED				
#	NO	MINISTRY	NAME OF LEGISLATION	PURPOSE
212.	63	OPM (LG)	Local Government Finance and Financial Management Bill	To have a single modernised Act reflecting new arrangements for financing Local Government incorporating new standards of financial management, and fiscal responsibility and accountability. (To consolidate and repeal the Parochial Rates and Finance Act, the section of the KSAC Act dealing with finance and the Local Authorities (Loans) Act).
213.	64	OPM (LG)	Local Government Reform Bill	To create one Local Government Reform Act to govern all Councils and set out the broad mandate/scope/powers of Local Authorities re governance mechanisms and establish criteria/guidelines for self management at the sub-parish level and or the conferring of city/municipal status. (To consolidate the KSAC, the Parish Council and the Municipalities Acts).
214.	65	OPM (LG)	Local Government Unified Services Bill	To improve effectiveness and efficiency and redefine the role of the Services Commission and Local Authorities in the appointment and management of staff assigned to them. (To replace the Municipal Service Commission Act, the Parish Councils (Unified Service) Act and the Poor Relief Officers (Unified Services) Act).
215.	66	OPM (LG)	National Building Bill	To improve the efficiency of the building approval process and provide a framework for the effective management of the building industry. (To incorporate the Kingston and St. Andrew Building Act and the Parish Council Building Act).