

JAMAICA

No. 22 – 2011

I assent,

[L.S.]

(Sgd.) P.L. Allen  
Governor-General.

20<sup>th</sup> October, 2011

AN ACT to Amend the Attestation of Instruments  
(Facilities) Act.

BE IT ENACTED by The Queen's Most Excellent Majesty, by and with the advice and consent of the Senate and House of Representatives of Jamaica, and by the authority of the same, as follows:—

[ **The date named by the Minister  
bringing the Act into operation** ]

1.—(1) This Act may be cited as the Attestation of Instruments (Facilities)(Amendment) Act, 2011, and shall be read and construed as one with the Attestation of Instruments (Facilities) Act (hereinafter referred to as the principal Act) and all amendments thereto.

Short title.  
construction  
and  
commencement.

(2) This Act shall come into operation on a day appointed by the Minister by notice published in the *Gazette*.

Repeal and  
replacement of  
section  
3 of princi-  
pal Act.

2. Section 3 of the principal Act is repealed and the following substituted therefor—

“Specified  
officials to  
have authority  
to administer  
oaths, etc.

3.—(1) Subject to the provisions of subsection (2), every specified official shall, so long as he is a specified official, have the same authority as a Justice of the Peace to administer, take and receive the oath, affidavit, declaration or affirmation of any person concerning any deed, instrument, right, matter or thing required to be sworn to, declared to, affirmed or attested under the provisions of any Act and to give certificates required to be given under the provisions of any Act.

(2) Nothing in subsection (1) shall authorize a specified official to administer, take or receive an oath, affidavit, declaration or affirmation or to give a certificate which a Justice of the Peace is authorized to administer, take, receive or give in the course of any criminal investigation or prosecution.

(3) In the exercise of the powers conferred upon him by subsection (1), a specified official shall be deemed to be a Justice of the Peace.

(4) In this section “specified official” means—

- (a) a Member of the House of Representatives;

(b) a councillor of a Parish Council or the Kingston and St. Andrew Corporation; and

(c) a Mayor of a Municipality who is not a councillor.”.

3. The principal Act is amended by inserting next after section 4 the following as section 5—

Insertion of new section 5 in principal Act.

“ Regulations. 5.—(1) The Minister may, subject to affirmative resolution, make regulations generally for giving effect to the provisions of this Act.

(2) Regulations made under this section may provide for penalties, on summary conviction in a Resident Magistrate's Court, in excess of the penalties specified in section 29(b) of the *Interpretation Act*.”.

Passed in the Senate this 24th day of June, 2011 with two (2) amendments.

OSWALD G. HARDING, OJ, CD, QC  
*President*

Passed in the House of Representatives this 20th day of September, 2011.

TARN PERALTO  
*Deputy Speaker.*

*This printed impression has been carefully compared by me with the Act which has passed the House of Representatives and Senate, and has been found by me to be a true and correct printed copy of the said Act.*

*H. E. Cooke (Mrs)*  
*Clerk to the Houses of Parliament.*