

JAMAICA

No. 33 – 2017

I assent,

[L.S.]

Sgd. P. L. Allen

Governor-General.

24th day of November 2017

AN ACT to Enhance revenue administration and collection, afford persons an opportunity to clear their driving record, improve the efficiency of the courts and reduce the number of cases in the courts by granting an amnesty, for a period commencing on November 27, 2017 and ending on January 13, 2018 or such other further period as each House of Parliament may determine by resolution, to facilitate the payment of outstanding penalties relating to prescribed notices issued during the period commencing on September 1, 2010 and ending on October 31, 2017 under section 116(2) of the Road Traffic Act; and for connected matters.

[27th November 2017]

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:—

Short title
and com-
mencement

1.—(1) This Act may be cited as the Road Traffic (Temporary Ticket Amnesty) (No. 2) Act, 2017, and shall come into operation on November 27, 2017.

Inter-
pretation

2. In this Act, unless the context otherwise requires—

“amnesty” means the relief set out in section 4(2);

“amnesty period” means the period specified in section 5;

“commencement date” means the date specified in section 1 for the coming into operation of this Act;

“Minister” means the Minister with responsibility for national security;

“outstanding traffic penalty” means the fixed penalty in respect of an offence to which section 116 of the Road Traffic Act relates that would have been payable, pursuant to a prescribed notice issued during the period commencing on September 1, 2010 and ending on October 31, 2017, before the end of twenty-one days following the date of the notice or such longer period (if any) as may be specified in the notice;

“qualifying person” means any person—

(a) who was served a prescribed notice under section 116(2) of the *Road Traffic Act* in respect of an offence to which that section relates; and

(b) who did not—

(i) pay the fixed penalty in accordance with section 116 (2) of the *Road Traffic Act*;
or

- (ii) seek to have the matter adjudicated by the court,

and is liable to have proceedings taken against him in respect of the offence to which the prescribed notice relates.

3. Subject to the provisions of this Act and notwithstanding any provision to the contrary in any other enactment, for the enhancement of revenue administration and collection, to afford persons an opportunity to clear their driving records, to improve the efficiency of the courts and to reduce the number of cases in the courts, an amnesty is declared whereby, for the duration of the amnesty period, a qualifying person who pays an outstanding traffic penalty in accordance with section 4 shall be entitled to the relief specified in that section.

Declaration of amnesty.

4.—(1) A qualifying person who, during the amnesty period, pays an outstanding traffic penalty to Tax Administration Jamaica, or any other institution specified by the Minister by notice published in the *Gazette*, shall be entitled to the relief set out in subsection (2).

Scope of the amnesty

(2) The relief referred to in subsection (1) is that—

- (a) the qualifying person shall not be liable to be convicted of the offence in respect of which the qualifying person has paid the outstanding traffic penalty and proceedings shall not be taken against the qualifying person for that offence;
- (b) no demerit points specified in the Second Schedule to the *Road Traffic Act* in relation to the offence for which the qualifying person has paid the outstanding traffic penalty shall be recorded against any driver's licence held by that person;
- (c) no warrant shall be issued by a Judge of the Parish Court or a Justice of the Peace for the arrest of the qualifying person in relation to the offence for which the qualifying person has paid the outstanding traffic penalty; and

- (d) any warrant previously issued by the court in relation to the offence shall be vacated where the qualifying person pays the outstanding traffic penalty in accordance with the amnesty.

Duration of
the Act.

5.—(1) This Act shall continue in force for a period commencing on November 27, 2017 and ending on January 13, 2018 and shall then expire unless its duration is extended by resolution of each House of Parliament.

(2) A resolution under subsection (1)—

- (a) shall be in the same terms for each House of Parliament;
- (b) shall specify the period for which the duration of this Act is extended; and
- (c) may amend any provision of this Act.

Passed in the House of Representatives this 14th day of November, 2017.

PEARNEL CHARLES, CD, MP, JP
Speaker.

Passed in the Senate this 24th day of November, 2017.

THOMAS TAVARES-FINSON, CD, QC, JP
President.

This printed impression has been carefully compared by me with the authenticated impression of the foregoing Act, and has been found by me to be a true and correct printed copy of the said Act.


Clerk to the Houses of Parliament.