

JAMAICA

No. 5 – 2013

I assent,

[L.S.]

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

21st day of March, 2013

AN ACT to Repeal all legislation making provision for flogging and whipping in judicial sentencing; to amend provisions of enactments relating to and referring to flogging and whipping as penalties for certain criminal offences; and for connected matters.

[22nd day of March, 2013]

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:—

1. This Act may be cited as the Law Reform (Flogging and Whipping) (Abolition) Act, 2013. Short title.

[No.] *The Law Reform (Flogging and Whipping)
(Abolition) Act, 2013*

Abolition of
flogging and
whipping as
penalties.

2.—(1) The imposition of flogging or whipping as a penalty for any offence is abolished.

(2) Every reference to flogging or whipping, as a penalty for an offence, appearing in any enactment, is declared to be of no effect.

(3) The Minister with responsibility for justice may, by order published in the *Gazette* and subject to affirmative resolution, make such consequential modifications to any enactment as appear to him to be necessary to give effect to the provisions of this section.

Repeal of
Crime
Prevention
Act.

3. The *Crime Prevention Act* is repealed.

Repeal of the
Flogging
Regulation
Act.

4. The *Flogging Regulation Act* is repealed.

Savings and
transitional.

5.—(1) Nothing in this Act shall, except as specified in subsection (2), be construed as affecting any sentence of flogging or whipping duly carried out prior to the commencement date.

(2) A sentence pursuant to any enactment which—

(a) is handed down prior to the commencement date; and

(b) imposes flogging or whipping as part of the sentence,

shall not, to the extent of the flogging or whipping only, be carried out in whole or in part on or after the commencement date.

(3) In this section “commencement date” means the date on which this Act comes into operation.

Act binds the
Crown.

6. This Act binds the Crown.

Passed in the Senate this 15th day of February 2013 with three (3) amendments.

STANLEY ST. J. REDWOOD
President.

Passed in the House of Representatives this 26th day of February 2013.

MICHAEL A. PEART
Speaker.

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.

[sgd.] H. E. Cooke
Clerk to the Houses of Parliament.