

## A BILL

ENTITLED

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 court by granting an amnesty, for a period commencing on August 2, 2017 and ending on October 31, 2017 or such 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 July 31, 2017 under section 116(2) of the Road Traffic Act; and for connected matters.

[ ]

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 Road Traffic (Temporary Ticket Amnesty) Act, 2017 and shall come into operation on August 2, 2017.

Short title  
and  
commence-  
ment.

Interpreta-  
tion.

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 day appointed under section 1 for the coming into operation of this Act;
- “Minister” means the Minister responsible 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 July 31, 2017, before the end of the twenty-one days following the date of the notice or such longer period (if any) as may have been 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 the Minister has determined did not pay the fixed penalty in accordance with that section or 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.

Declaration  
of amnesty.

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 court, 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.

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 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; and
- (c) no warrant shall be issued by a Judge of the Parish Court or 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 any warrant previously issued in relation thereto shall be null and void.

5.—(1) This Act shall continue in force for a period commencing on August 2, 2017 and ending on October 31, 2017 and shall then expire unless its duration is extended by resolution of each House of Parliament. Duration of Act.

(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.

## MEMORANDUM OF OBJECTS AND REASONS

This Bill seeks to enhance revenue administration and collection, afford persons an opportunity to clear their driving records, improve the efficiency of the courts and reduce the number of cases in the court, by granting an amnesty, for a period commencing on August 2, 2017 and ending on October 31, 2017 or such further period as each House of Parliament may determine by resolution, to facilitate the payment of fixed penalties in respect of offences 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 July 31, 2017, before the end of the twenty-one days following the date of the notice or such longer period (if any) as may have been specified therein.

Under the proposed amnesty, any person who, on the commencement date of the proposed Act, 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 who the Minister has determined did not pay the fixed penalty in accordance with that section or seek to have the matter adjudicated by the Court, shall, if the person pays the outstanding traffic penalty to the Tax Administration Jamaica or any other institution specified by the Minister by notice published in the *Gazette*, shall be entitled to the following relief—

- (a) the person shall not be liable to be convicted of the offence in respect of which the person has paid the outstanding traffic penalty and proceedings shall not be taken against the person for that offence;
- (b) no demerit point shall be recorded against the licence of that person on account of the offence for which that person has paid the outstanding traffic penalty; and
- (c) any warrant that has been issued by a Judge of the Parish Court or a Justice of the Peace in relation to the offence, on account of the person not having paid the outstanding traffic penalty or appeared in Court to answer any charge relating to the offence, shall be null and void.

ROBERT MONTAGUE, M.P.  
Minister of National Security.



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As introduced by the Honourable Minister of National Security.

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