

# ABILL

## ENTITLED

AN ACT to Amend provisions relating to penalties and monetary obligations in various enactments and for connected purposes.

[ ]

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 (Amendment of Penalties) Act, 2019. Short title.

2. The provisions of the enactments specified in the first column of the Schedule are amended in the manner specified in relation to them in the second column of the Schedule. Amendment of Acts. Schedule.

## SCHEDULE

(Section 2)

## Amendments of Enactments

Enactments —	Amendments —
<i>Bail Act</i>	
Section 15	Delete the words “five hundred thousand” and substitute therefor the words “two million”.
New Section 21A	Insert next after section 21 the following as section 21A—  <div style="display: flex; justify-content: space-between; align-items: flex-start;"> <div style="width: 45%;"> <p>“Minister may amend monetary penalties.</p> </div> <div style="width: 50%;"> <p>21A. The Minister may, by order subject to affirmative resolution, amend the monetary penalties specified under this Act.”.</p> </div> </div>
<i>Coroners Act</i>	
Section 22D	Delete the words “five thousand” and substitute therefor the words “one hundred thousand”.
Section 23(1)	Delete the words “four thousand” and substitute therefor the words “ten thousand”.
Section 23(3)	Delete the words “four thousand” and substitute therefor the words “two hundred and fifty thousand”.
New Section 35	Insert next after section 34 the following as section 35—  <div style="display: flex; justify-content: space-between; align-items: flex-start;"> <div style="width: 45%;"> <p>“Minister may amend monetary penalties.</p> </div> <div style="width: 50%;"> <p>35. The Minister may, by order subject to affirmative resolution, amend the monetary penalties specified under this Act.”.</p> </div> </div>
<i>Corruption Prevention Act</i>	
Section 15	Delete subsection (2).
<i>Criminal Justice (Administration) Act</i>	
Section 33(1)	<ol style="list-style-type: none"> <li>1. Delete the word “twenty” and substitute therefor the words “one million”.</li> <li>2. Delete the word “month” and substitute therefor the word “year”.</li> </ol>

## Amendments of Enactments

Enactments	Amendments
Section 51	<p>1. Delete the word “twenty” and substitute therefor the words “five hundred thousand”.</p> <p>2. Delete the word “forty” and substitute therefor the words “one million”.</p>
Section 52	Delete the word “forty” and substitute therefor the words “one million”.
New section 65(3)	<p>Insert next after section 65(2) the following as section 65(3)—</p> <p style="padding-left: 40px;">“ (3) The Minister may, by order subject to affirmative resolution, amend the monetary penalties specified under this Act.”.</p>

*Criminal Justice (Reform) Act*

Section 9(5)	Delete the words “one hundred” and substitute therefor the words “one hundred thousand”.		
Section 11(3)(a)	Delete the words “two thousand” and substitute therefor the words “two hundred and fifty thousand”.		
Section 11(5)(a)	Delete the words “four thousand” and substitute therefor the words “one million”.		
New section 21	<p>Insert next after section 20 the following as section 21—</p> <table border="0" style="margin-left: 40px;"> <tr> <td style="vertical-align: top;">“Minister may amend monetary penalties.</td> <td style="vertical-align: top;">21. The Minister may, by order subject to affirmative resolution, amend the monetary penalties specified under this Act.”.</td> </tr> </table>	“Minister may amend monetary penalties.	21. The Minister may, by order subject to affirmative resolution, amend the monetary penalties specified under this Act.”.
“Minister may amend monetary penalties.	21. The Minister may, by order subject to affirmative resolution, amend the monetary penalties specified under this Act.”.		

*Dangerous Drugs Act*

Section 5(2)(b)	Delete the words “five hundred thousand” and substitute therefor the words “five million”.
Section 21A	<p>Delete subsection (1)(d) and substitute therefor the following—</p> <p style="padding-left: 40px;">“ (d) on summary conviction before a Judge of the Parish Court, in the case of a first</p>

## Amendments of Enactments

## Enactments

## Amendments

conviction for such offence, to a fine not exceeding three million dollars or to imprisonment for a term not exceeding three years, or to both such fine and imprisonment and in the case of a second or subsequent conviction for such offence, to a fine not exceeding five million dollars or to imprisonment for a term not exceeding five years or to both such fine and imprisonment.”.

Section 22(5) Delete subsection (5) and substitute therefor the following—

“ (5) Every person who commits an offence against this Act for which no penalty is otherwise provided shall, on summary conviction before a Judge of the Parish Court, be liable to a fine not exceeding two million dollars or to imprisonment for a term not exceeding two years, or to both such fine and imprisonment.”.

Section 22(10) Delete subsection (10)(b) and substitute therefor the following—

“ (b) shall be liable to a fine which shall not exceed one million dollars;”.

*Enquiry into  
Causes of Fire  
and Accidents  
Act*

Section 7 1. Delete the words “twenty dollars” and substitute therefor the words “one million dollars”.

2. Delete the words “one month” and substitute therefor the words “six months”.

New section 12 Insert next after section 11 the following as section 12—

“ Minister may amend monetary penalties. 12. The Minister may, by order subject to affirmative resolution, amend the monetary penalties specified under this Act.”.

## Amendments of Enactments

Enactments	Amendments		
—	—		
<i>Evidence Act</i>			
Section 46	Delete the words “one hundred” and substitute therefor the words “one million”.		
Section 47	Delete the words “two hundred” and substitute therefor the words “two million”.		
Section 48	Delete the words “two hundred” and substitute therefor the words “five hundred thousand”.		
Section 49	Delete the words “two hundred “ and substitute therefor the words “one million”.		
New Part VII	Insert next after Part VI the following as Part VII—		
	<i>PART VII—General</i>		
	<table border="0" style="margin-left: 4em;"> <tr> <td style="padding-right: 1em;">“Minister may amend monetary penalties.</td> <td>60. The Minister may, by order subject to affirmative resolution, amend the monetary penalties specified under this Act.”.</td> </tr> </table>	“Minister may amend monetary penalties.	60. The Minister may, by order subject to affirmative resolution, amend the monetary penalties specified under this Act.”.
“Minister may amend monetary penalties.	60. The Minister may, by order subject to affirmative resolution, amend the monetary penalties specified under this Act.”.		
<i>Gun Court Act</i>			
Section 13(3)	Delete the words “two thousand” and substitute therefor the words “one million”.		
New section 18A	Insert next after section 18 the following as section 18A—		
	<table border="0" style="margin-left: 4em;"> <tr> <td style="padding-right: 1em;">“Minister may amend monetary penalties.</td> <td>18A. The Minister may, by order subject to affirmative resolution, amend the monetary penalties specified under this Act.”.</td> </tr> </table>	“Minister may amend monetary penalties.	18A. The Minister may, by order subject to affirmative resolution, amend the monetary penalties specified under this Act.”.
“Minister may amend monetary penalties.	18A. The Minister may, by order subject to affirmative resolution, amend the monetary penalties specified under this Act.”.		
<i>Hindu Marriage Act</i>			
Section 3(4)	Delete the word “twenty” and substitute therefor the words “one hundred thousand”.		
Section 10(5)	Delete the word “twenty” and substitute therefor the words “one hundred thousand”.		

## Amendments of Enactments

## Enactments

## Amendments

New section  
21A

Insert next after section 21 the following as section  
21A—

“Minister  
may amend  
monetary  
penalties.

21A. The Minister may, by order  
subject to affirmative resolution,  
amend the monetary penalties  
specified under this Act.”.

*Judicature  
(Parish Courts)  
Act*

- |                |   |
|----------------|---|
| Section 52     | Delete the word “twenty” and substitute therefor the words “one million”.   |
| Section 55     | Delete the word “twenty” and substitute therefor the words “one hundred thousand”.  |
| Section 58     | Delete the word “twenty” and substitute therefor the words “two million”.   |
| Section 60     | 1. Delete the words “one hundred” and substitute therefor the words “one million”.<br><br>2. Delete the word “two” and substitute therefor the word “six”.  |
| Section 104    | Delete the word “forty” and substitute therefor the words “two hundred thousand”.   |
| Section 160    | Delete the word “twenty” and substitute therefor the words “one million”.   |
| Section 179(4) | Delete subsection (4) and substitute therefor the following—<br><br>“ (4) Where a juror summoned pursuant to this section fails to attend or, having been chosen as a juror, upon attendance refuses to be sworn, the Court may—<br><br>(a) impose upon the person a fine not exceeding ten thousand dollars; or<br><br>(b) in default of payment of the fine referred to in paragraph (a), order the |

## Amendments of Enactments

Enactments	Amendments
	person to perform unpaid work for such number of hours (being in the aggregate not less than forty nor more than three hundred and sixty hours) as may be specified in the order.”.
Section 180	Delete the words “one hundred” and substitute therefor the words “ten thousand”.
Section 209	Delete the word “sixty” and substitute therefor the words “ten thousand”.
Section 268(2)	Delete the words “one million” and substitute therefor the words “three million”.
<i>Judicial Proceedings (Regulation of Reports) Act</i>	
Section 4	Delete the words “five thousand” and substitute therefor the words “one million”.
New section 7	Insert next after section 6 the following as section 7— <div style="display: flex; align-items: flex-start; margin-left: 40px;"> <div style="flex: 1;"> <p>“Minister may amend monetary penalties.</p> </div> <div style="flex: 2; margin-left: 10px;"> <p>7. The Minister may, by order subject to affirmative resolution, amend the monetary penalties specified under this Act.”.</p> </div> </div>
<i>Justice Protection Act</i>	
New section 27	Insert next after section 26 the following as section 27— <div style="display: flex; align-items: flex-start; margin-left: 40px;"> <div style="flex: 1;"> <p>“Minister may amend monetary penalties.</p> </div> <div style="flex: 2; margin-left: 10px;"> <p>27. The Minister may, by order subject to affirmative resolution, amend the monetary penalties specified under this Act.”.</p> </div> </div>
<i>Justices of the Peace (Appeals) Act</i>	
Section 18	Delete the word “forty” and substitute therefor the words “ten thousand”.

## Amendments of Enactments

## Enactments

## Amendments

Section 19 Delete the word “forty” and substitute therefor the words “ten thousand”.

New section 66 Insert next after section 65 the following as section 66—

“Minister may amend monetary penalties.	66. The Minister may, by order subject to affirmative resolution, amend the monetary penalties specified under this Act.”.
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*Justice of the Peace  
Jurisdiction Act*

New section 71A Insert next after section 71 the following as section 71A—

“Minister may amend monetary penalties.	71A. The Minister may, by order subject to affirmative resolution, amend the monetary penalties specified under this Act.”.
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*Larceny Act*

Section 48 Delete the words “forty thousand dollars or three times the value of the thing stolen or killed, whichever is the greater” and substitute therefor the words “three million dollars”.

Section 49 Delete the words “forty thousand dollars or three times the value of the things taken or destroyed, whichever is the greater” and substitute therefor the words “three million dollars”.

Section 50 Delete the words “forty thousand dollars or three times the value of the animal caught, taken or driven off, whichever is the greater” and substitute therefor the words “three million dollars”.

Section 51 Delete the words “forty thousand dollars or three times the value of the thing stolen, whichever is the greater” and substitute therefor the words “three million dollars”.

Section 52 Delete the words “four thousand” and substitute therefor the words “one million”.



## Amendments of Enactments

Enactments	Amendments
Section 53	Delete the word "twenty" and substitute therefor the words "two hundred and fifty".
Section 54	Delete the word "five" and substitute therefor the words "two hundred and fifty".
Section 55	Delete the word "twenty" and substitute therefor the words "two hundred and fifty".
New section 69	Insert next after section 68 the following as section 69— <div style="display: flex; justify-content: space-between; margin-top: 10px;"> <div style="width: 30%;"> <p>"Minister may amend monetary penalties.</p> </div> <div style="width: 65%;"> <p>69. The Minister may, by order subject to affirmative resolution, amend the monetary penalties specified under this Act."</p> </div> </div>

*Legal Aid Act*

Section 25(2)	<ol style="list-style-type: none"> <li>1. Delete the words "one hundred thousand" and substitute therefor the words "one million".</li> <li>2. Delete the words "six months" and substitute therefor the words "one year".</li> </ol>
New section 29	Insert next after section 28 the following as section 29— <div style="display: flex; justify-content: space-between; margin-top: 10px;"> <div style="width: 30%;"> <p>"Minister may amend monetary penalties.</p> </div> <div style="width: 65%;"> <p>29. The Minister may, by order subject to affirmative resolution, amend the monetary penalties specified under this Act."</p> </div> </div>

*Maintenance Orders  
(Facilities for  
Enforcement) Act*

Section 8(2)	Delete the words "one hundred" and substitute therefor the words "ten thousand".
New section 21A	Insert next after section 21 the following as section 21A— <div style="display: flex; justify-content: space-between; margin-top: 10px;"> <div style="width: 30%;"> <p>"Minister may amend monetary penalties.</p> </div> <div style="width: 65%;"> <p>21A. The Minister may, by order subject to affirmative resolution, amend the monetary penalties specified under this Act."</p> </div> </div>

## Amendments of Enactments

Enactments	Amendments		
<i>Malicious Injuries to Property Act</i>			
Section 20(2)	Delete the words “ten thousand dollars or three times the value of the injury done, whichever is the greater” and substitute therefor the words “one million dollars”.		
Section 23	Delete the word “four” and substitute therefor the words “five hundred”.		
Section 24	Delete the word “four” and substitute therefor the words “five hundred thousand”.		
Section 25	Delete the word “four” and substitute therefor the words “five hundred”.		
Section 29	Delete the word “four” and substitute therefor the words “two hundred and fifty thousand”.		
Section 31(a)	Delete the words “two thousand dollars or three times the value of the thing killed, maimed or wounded, whichever is greater” and substitute therefor the words “three million dollars”.		
Section 32(1)	Delete the words “forty thousand” and substitute therefor the words “three million”.		
Section 43	Delete the words “twenty thousand” and substitute therefor the words “one million”.		
New section 60	Insert next after section 59 the following as section 60— <table border="0" style="margin-left: 40px;"> <tr> <td style="vertical-align: top;">“Minister may amend monetary penalties.</td> <td style="vertical-align: top;">60. The Minister may, by order subject to affirmative resolution, amend the monetary penalties specified under this Act.”.</td> </tr> </table>	“Minister may amend monetary penalties.	60. The Minister may, by order subject to affirmative resolution, amend the monetary penalties specified under this Act.”.
“Minister may amend monetary penalties.	60. The Minister may, by order subject to affirmative resolution, amend the monetary penalties specified under this Act.”.		
<i>Muslim Marriage Act</i>			
Section 10(4)	Delete the word “twenty” and substitute therefor the word “one hundred thousand”.		

## Amendments of Enactments

## Enactments

## Amendments

New section 21A Insert next after section 21 the following as section 21A—

“Minister  
may amend  
monetary  
penalties.

21A. The Minister may, by order subject to affirmative resolution, amend the monetary penalties specified under this Act.”.

*Obeah Act*

Section 5 Delete the words “one hundred” and substitute therefor the words “one million”.

Section 10 Delete the word “forty” and substitute therefor the words “five hundred thousand”.

New section 13 Insert next after section 12 the following as section 13—

“Minister  
may amend  
monetary  
penalties.

13. The Minister may, by order subject to affirmative resolution, amend the monetary penalties specified under this Act.”.

*Offences Against  
the Person Act*

Section 39 Delete the words “one thousand dollars” and substitute therefor the words “two hundred thousand dollars, together with costs (if ordered)”.

Section 40 Delete the words “two thousand” and substitute therefor the words “five hundred thousand”.

New section 86 Insert next after section 85 the following as section 86—

“Minister  
may amend  
monetary  
penalties.

86. The Minister may, by order subject to affirmative resolution, amend the monetary penalties specified under this Act.”.

*The Public Service  
Enquiries (Attendance  
of Witnesses) Act*

Section 5 Delete the words “two hundred” and substitute therefor the words “one million”.

## Amendments of Enactments

## Enactments

## Amendments

New section 8

Insert next after section 7 the following as section 8—

“Minister  
may amend  
monetary  
penalties.

8. The Minister may, by order subject to affirmative resolution, amend the monetary penalties specified under this Act.”.

*Status of Children  
Act*

Section 14

Delete the words “five hundred” and substitute therefor the words “one million”.

New section 17

Insert next after section 16 the following as section 17—

“Minister  
may amend  
monetary  
penalties.

17. The Minister may, by order subject to affirmative resolution, amend the monetary penalties specified under this Act.”.

*Trustees, Attorneys  
and Executors  
(Accounts and  
General) Act*

Section 19

Delete the word “forty” and substitute therefor the words “a sum not exceeding two hundred and fifty thousand”.

Section 20

Delete the word “forty” and substitute therefor the words “a sum not exceeding two hundred and fifty thousand”.

New section 23

Insert next after section 22 the following as section 23—

“Minister  
may amend  
monetary  
penalties.

23. The Minister may, by order subject to affirmative resolution, amend the monetary penalties specified under this Act.”.

*Witnesses’  
Expenses Act*

Section 11(1)

1. Delete the words “two hundred” and substitute therefor the words “five hundred thousand”.

## Amendments of Enactments

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2. Delete the words “one month” and substitute therefor the words “three months”.

New section 17 Insert next after section 16 the following as section 17—

“Minister may amend monetary penalties.	17. The Minister may, by order subject to affirmative resolution, amend the monetary penalties specified under this Act.”.
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*The Witnesses  
(Public Enquiries)  
Protection Act*

Section 3(1) 1. Delete the words “two hundred” and substitute therefor the words “one million”.

2. Delete the words “six months” and substitute therefor the words “twelve months”.

Section 3(2) 1. Delete the words “two hundred” and substitute therefor the words “one million”.

2. Delete the words “six months” and substitute therefor the words “twelve months”.

New section 4A Insert next after section 4 the following as section 4A—

“Minister may amend monetary penalties.	4A. The Minister may, by order subject to affirmative resolution, amend the monetary penalties specified under this Act.”.
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**MEMORANDUM OF OBJECTS AND REASONS**

A decision has been taken to revise penalties where appropriate and, where not already provided for, provide a mechanism for amendment of monetary penalties, relating to several Acts under the portfolio of the Ministry of Justice, by Ministerial Order.

This Bill seeks to give effect to that decision.

**DELROY CHUCK**  
**Minister of Justice.**

**ABILL**

**ENTITLED**

**AN ACT to Amend provisions relating to  
penalties and monetary obligations  
in various enactments and for  
connected purposes.**

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**As introduced by the Honourable Minister of Justice.**

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