

A BILL

ENTITLED

AN ACT to Temporarily Amend the Noise Abatement 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:—

1. This Act may be cited as the Noise Abatement (Temporary Amendment) Act, 2019, and, during the period referred to in section 2, shall be read and construed as one with the Noise Abatement Act (hereinafter referred to as the principal Act).

Short title
and
construction.

Temporary amendment of sections 3 and 5 of principal Act.

2.—During the period from the date of commencement of this Act to the 31st day of January, 2020, the principal Act is amended—

(a) in section 3, by deleting subsection (4) and substituting therefor the following—

“ (4) The period referred to in subsection (1) is between 2 o’clock and 6 o’clock, in the morning.”;

(b) in section 5(3), by deleting the words “2 o’clock” and substituting therefor the words “4 o’clock”.

Effect on permission granted.

3. Notwithstanding anything otherwise specified in any permission granted under section 5, the periods specified in sections 3(4) and 5(3) of the principal Act shall apply to any activity carried on pursuant to such permission, during the period referred to in section 2.

MEMORANDUM OF OBJECTS AND REASONS

In order to provide an interim solution to issues identified in the enforcement of the Noise Abatement Act, pending the process of consultation with stakeholders to arrive at a lasting solution, a decision has been taken to amend the Noise Abatement Act with respect to the periods specified in sections 3(4) and 5(3) of that Act. The amendment is temporary and will cease to have effect after the 31st day of January, 2020. The amendment will facilitate the holding of entertainment activities from the date of commencement of the amendment until the 31st day of January, 2020, by extending, by two hours, the period within which those activities may be carried on without being presumed to amount to a nuisance under section 3 or being unlawful under section 5.

HORACE CHANG
Minister of National Security.

A BILL

ENTITLED

**AN ACT to Temporarily Amend the Noise
Abatement Act.**

As introduced by the Honourable Minister of National
Security.

PRINTED BY JAMAICA PRINTING SERVICES (1992) LTD.,
GOVERNMENT PRINTERS, DUKE STREET, KINGSTON, JAMAICA.

SECTIONS 3 AND 5 OF THE PRINCIPAL ACT WHICH
IT IS PROPOSED TO AMEND

3.—(1) Subject to subsection (2) and section 5, no person shall, on any private premises or in any public place at any time of day or night—

- (a) sing, or sound or play upon any musical or noisy instrument; or
- (b) operate, or permit or cause to be operated, any loudspeaker, microphone or any other device for the amplification of sound,

... ..

(4) The periods referred to in subsection (1) are—

- (a) 2 o'clock and 6 o'clock in the morning on a Saturday, or Sunday; and
- (b) midnight on a Sunday, Monday, Tuesday, Wednesday or Thursday and 6 o'clock in the following morning.

... ..

5.—(1) Where a person intends to operate any specified equipment to provide music for dancing or any other form of entertainment in a public place in circumstances where such music is reasonably capable of disturbing any person occupying or residing in any private premises, such person shall make a written application to the Superintendent of Police in charge of the division in which the activity will be held for permission to do so, not later than ten clear days before the date on which it is proposed to hold such activity,

... ..

(3) Where any specified equipment is used to provide music for dancing or any other form of entertainment in the vicinity of any hotel, dwelling house or guest house, such activity shall not continue later than 2 o'clock in the morning.

... ..

