

ABILL

ENTITLED

AN ACT to Amend the Interpretation Act.

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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 Interpretation (Amendment) Act, 2016, and shall be read and construed as one with the Interpretation Act (hereinafter referred to as the “principal Act”) and all amendments thereto.

Short title
and
construction.

2. Section 29 of the principal Act is amended—

(a) by renumbering the section as subsection (1);

Amendment
of section 29
of principal
Act.

- (b) in paragraph (b) of subsection (1), as renumbered, by deleting the words “one thousand dollars” and substituting therefor the words “one million dollars”; and
- (c) by inserting next after subsection (1), as renumbered, the following—
 - “ (2) The Minister may, by order published in the *Gazette*, vary the monetary penalty specified in subsection (1)(b).
 - (3) An order made under subsection (2) shall be subject to affirmative resolution.”.

MEMORANDUM OF OBJECTS AND REASONS

The Interpretation Act (hereinafter referred to as "the Act") establishes rules of statutory interpretation and principles for the validity and operation of Acts of Parliament and any regulations made under those Acts.

Section 29 (b) of the Act provides that in the absence of an express provision to the contrary in an Act of Parliament, regulations made under an Act of Parliament cannot prescribe a monetary penalty in excess of one thousand dollars for breach of its provisions.

This statutory limit on fines in regulations was set in 1968 and has become inadequate and is no longer an effective deterrent to non-compliance with the provisions of regulations.

This has necessitated the inclusion in almost every Act of Parliament of a provision expressly excluding application of section 29(b) and prescribing more appropriate fine limits, today generally set at one million dollars.

This Bill, therefore, seeks to amend the Interpretation Act by fixing a more appropriate limit on monetary penalties that can be imposed by regulations. The regulations are subject to affirmative resolution.

DELROY CHUCK
Minister of Justice.

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As introduced by the Honourable Minister of Justice.

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