



A BILL
ENTITLED

AN ACT to Amend the Trafficking in Persons (Prevention,
Suppression and Punishment) 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 Trafficking in Persons (Prevention, Suppression and Punishment) (Amendment) Act, 2021, and shall be read and construed as one with the Trafficking in Persons (Prevention, Suppression and Punishment) Act (hereinafter referred to the “principal Act”) and all amendments thereto.

Short title
and
construction.

2. Section 4 of the principal Act is amended in subsections (6), (7), (8) and (8A) by deleting the words “to a fine or” and “or to both such fine and imprisonment”, wherever they appear.

Amendment
of section 4
of
principal Act.

Amendment of section 15 of principal Act. “one million”.

3. Section 15 of the principal Act is amended by deleting the words “two hundred and fifty thousand” and substituting therefor the words “one million”.

Amendment of section 17 of principal Act.

4. Section 17 of the principal Act is amended—

(a) by deleting the marginal note and substituting therefor the following—

“Amendment of monetary penalties.”; and

(b) in subsection (1), by deleting the words “increase the fines” and substituting therefor the words “amend the monetary penalties”.

Amendment of section 10 of the Child Care and Protection Act.

5. Section 10 of the Child Care and Protection Act is amended in subsection (2), by deleting the words “to a fine or” and “or to both fine and imprisonment.”

MEMORANDUM OF OBJECTS AND REASONS

A decision has been taken to create an anti-human trafficking regime that creates a deterrent for offenders and one that is in keeping with the recommendations of the United States Department of State Trafficking in Persons Report 2012. Consequently, the decision was taken to—

- (a) amend the monetary penalties in the Trafficking in Persons (Prevention, Suppression, and Punishment) Act to—
 - (i) remove the option of fines *in lieu* of custodial sentences as a penalty for certain offences that are egregious in nature;
 - (ii) increase the monetary penalty under section 15; and
- (b) make a consequential amendment to section 10 of the Child Care and Protection Act to remove the option of fine *in lieu* of custodial sentence.

This Bill seeks to amend the Trafficking in Persons (Prevention, Suppression and Punishment) Act and the Child Care and Protection Act to give effect to that decision.

DR. HORACE CHANG
Minister of National Security.

A BILL

ENTITLED

AN ACT to Amend the Trafficking in Persons
(Prevention, Suppression and Punishment) Act.

As introduced by the Honourable Minister of National
Security.

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