

JAMAICA

No. 1 - 2014

I assent,

[L.S.]

(Sgd.) P. D. Allen

Governor-General.

31st day of March, 2014

AN ACT to Amend the Public Bodies Management
and Accountability Act.

[1st day of April 2014]

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 Public Bodies Management and
Accountability (Amendment) Act, 2014, and shall be read and
construed as one with the Public Bodies Management and Accountability

Short title,
construction
and
commence-
ment.

Act (hereinafter referred to as the “principal Act”) and all amendments thereto, and shall come into operation on the 1st day of April, 2014.

Amendment
to section 2 of
principal Act.

2. Section 2 of the principal Act is amended by inserting in the appropriate alphabetical sequence the following definitions—

“Government–pays public private partnership” means a public private partnership under which a public entity has an obligation to pay for an asset or the use thereof, or for a service supplied in connection therewith, without which payments the project undertaken by the public private partnership is not likely to be economically viable;

“local authority” means—

- (a) in relation to the parishes of Kingston and St. Andrew, the Council of the Kingston and St. Andrew Corporation as constituted under the Kingston and St. Andrew Corporation Act;
- (b) in relation to any other parish, the Parish Council of that parish as constituted under the Parish Councils Act; or
- (c) in relation to a municipality, a Municipal Council established under the Municipalities Act;

“public entity” means the Government or a department or an agency of the Government, a local authority or a public body;

“public investment” means non-recurrent expenditure on goods, works and services carried out by any public entity on its own or by one or more public entities in conjunction with one or more non-public entities through public private partnerships, and which is aimed at accumulating new physical or intangible assets or enhancing human resource capacities, or improving or rehabilitating existing physical or intangible

assets or human resource capacities, to achieve development objectives;

“Public Investment Management System” means the common framework for the preparation, appraisal, approval and management of public investments in Jamaica (irrespective of source of funding or procurement and implementation modalities) which is constituted under the Financial Administration and Audit Act;

“public private partnership” means an arrangement governed by a long-term procurement contract between one or more public entities and one or more non-public entities, involving the designing, financing, building and operating of an infrastructure project or the provision of a service, through the appropriate sharing of resources, risks and rewards;

“user-pays public private partnership” means any public private partnership that is not a Government-pays public private partnership.”

3. Section 2A of the principal Act is amended—

Amendment of section 2A of principal Act.

(a) in subsection (1), by inserting in paragraph (c) immediately after the words “public bodies” the words “, including information pertaining to the Public Sector Investment Programme,”;

(b) by deleting subsection (2) and substituting therefor the following—

“ (2) The Minister shall, in relation to the Estimates referred to in subsection (1)—

(a) cause those Estimates to be tabled in the House of Representatives and the Senate for approval;

(b) the Minister shall take appropriate measures to ensure that, commencing with the financial year beginning on April 1, 2015, the Estimates are tabled in time for their approval

