

JAMAICA

No. 1 - 2012

I assent,

[L.S.]

(sgd) P. L. Allen

Governor-General

24th May, 2012

AN ACT to enhance revenue administration and collection by granting an amnesty, for a period of six months or such further period as each House of Parliament may determine by resolution, to facilitate the payment of outstanding penalties relating to prescribed notices issued on or before September 20, 2010 pursuant to section 116(2) of the Road Traffic Act; and for connected matters.

[24th May, 2012]

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:—

Short title and commencement.

1. This Act may be cited as the Road Traffic (Temporary Ticket Amnesty) Act, 2012 and shall come into operation on a day to be appointed by the Minister by notice published in the *Gazette*.

Interpretation.

2. In this Act—

“amnesty” means the relief set out in section 4(2);

“amnesty period” means the period specified in section 5;

“commencement date” means the day appointed under section 1 for the coming into operation of this Act;

“Minister” means the Minister responsible for national security;

“outstanding traffic penalty” means the fixed penalty in respect of an offence to which section 116 of the Road Traffic Act relates that would have been payable, pursuant to a prescribed notice issued on or before September 20, 2010, before the end of the twenty-one days following the date of the notice or such longer period (if any) as may have been specified therein;

“qualifying person” means any person—

- (a) who was served a prescribed notice under section 116(2) of the Road Traffic Act in respect of an offence to which that section relates; and
- (b) who the Minister has determined did not pay the fixed penalty in accordance with that section or seek to have the matter adjudicated by the Court,

and is liable to have proceedings taken against him in respect of the offence to which the prescribed notice relates.

3. For the enhancement of revenue administration and collection, and subject to the provisions of this Act, an amnesty is hereby declared whereby, for the duration of the amnesty period, a qualifying person who pays an outstanding traffic penalty in accordance with section 4 shall be entitled to the relief specified in that section. Declaration of amnesty.

4.—(1) A qualifying person who, during the amnesty period, pays an outstanding traffic penalty to Tax Administration Jamaica, or any other institution specified by the Minister by notice published in the *Gazette*, shall be entitled to the relief set out in subsection (2). Scope of amnesty.

(2) The relief referred to in subsection (1) is that—

- (a) the qualifying person shall not be liable to be convicted of the offence in respect of which the qualifying person has paid the outstanding traffic penalty and proceedings shall not be taken against him for that offence;
- (b) no demerit points specified in the Second Schedule to the Road Traffic Act in relation to the offence for which the qualifying person has paid the outstanding traffic penalty shall be recorded against any driver's licence held by that person; and
- (c) no warrant shall be issued by a Resident Magistrate or Justice of the Peace for the arrest of the qualifying person in relation to the offence for which the qualifying person has paid the outstanding traffic penalty, and any warrant previously issued in relation thereto shall be null and void.

5.—(1) This Act shall continue in force for a period of six months from the commencement date and shall then expire unless its duration is extended by resolution of each House of Parliament. Duration of Act.

- (2) A resolution under subsection (1)—
- (a) shall be in the same terms for each House of Parliament;
 - (b) shall specify the period for which the duration of this Act is extended; and
 - (c) may amend any provision of this Act.

Passed in the Honourable House of Representatives this 24th day of April, 2012.

MICHAEL PEART
Speaker

Passed in the Senate this 3rd day of May, 2012.

ANGELA BROWN BURKE
Deputy President.

This printed impression has been carefully compared by me with the authenticated impression of the foregoing Act, and has been found by me to be a true and correct printed copy of the said Act.

Clerk to the Houses of Parliament.