

MINISTRY OF SCIENCE, TECHNOLOGY, ENERGY AND MINING
ICT LEGISLATION PROGRAMME 2015 - 2018

NO	NAME OF LEGISLATION	PURPOSE OF LEGISLATION	CATEGORY	PROGRESS	PRIORITY
1.	The Data Protection Act	The Act will provide for the protection of privacy of individuals in relation to personal data and regulate the collection, processing, storage, use and disclosure of personal data.	7	A Validation Workshop was held in May. The Ministry received the final report from the International Telecommunication Union Consultant in September and will utilize same to finalise and issue drafting instructions to the Chief Parliamentary Counsel.	High
2.	Information and Communications Technology Act (Telecommunications Act Repeal)	To provide the ICT sector with an adequate legislative and regulatory framework which addresses: <ul style="list-style-type: none"> • the establishment of a single stand-alone ICT Regulator • current trends and emerging technologies • competitiveness • consumer protection 		Awaiting the approval of the National Contracts Commission on the procurement of a Consultant to review the legal and regulatory framework governing the regulation of the ICT sector.	High
3.	Cybercrimes (Amendment) Act	To strengthen the Act to provide more robust tools to facilitate the investigation and prosecution of cybercrimes and to bring the Act into alignment with international best practices.	7	Cabinet approval to issue drafting instructions received. Drafting instructions to be prepared.	High
4.	Postal Services Act [Post Office Act (Repeal)]	Review of the Post Office Act and other legislation with a view to aligning same with policy initiatives to licence and regulate all operators providing postal services.	5	The draft Postal Services Bill to be reviewed in order to ensure its currency and alignment with new policy thrust.	Medium
5.	Telecommunications (Number Portability) Rules	To provide Rules to establish the basic requirements and conditions for the implementation and operation of number portability in Jamaica.	7	Third draft of number portability rules prepared by CPC reviewed by the Ministry and relevant stakeholders. Awaiting final draft of Rules from the CPC.	High

**MINISTRY OF SCIENCE, TECHNOLOGY, ENERGY AND MINING
MINING LEGISLATION PROGRAMME 2015 - 2018**

NO.	NAME OF LEGISLATION	PURPOSE OF LEGISLATION	CATEG ORY	PROGRESS	PRIORIT Y
6.	Mining Act	To govern all prospecting, exploration and mining activities on the island and charges the Commissioner of Mines with the responsibility to exercise general supervision over all such activities		Cabinet Submission being updated	High
7.	Mining (Safety and Health) Regulations	Outlines provisions, procedures and practices to ensure safe operations within the mining industry.		Extensive review has been conducted with stakeholders and proposed amendments have been documented.	High
8.	Quarries Control Act	Provides for the orderly development of quarries and the establishment of Quarry Zones		<u>COMPLETE</u>	High

**MINISTRY OF SCIENCE, TECHNOLOGY, ENERGY AND MINING
ENERGY LEGISLATION PROGRAMME 2015 - 2018**

NO.	NAME OF LEGISLATION	PURPOSE OF LEGISLATION	CATEGORY	PROGRESS	PRIORITY
9.	The Electricity Act	To replace the Electricity Act of 1890 with a modernised Electricity Act. Consequent on the imminent completion of the Electricity Policy for Jamaica, a modernised Act will include: <ul style="list-style-type: none"> • Introducing more competition in the sector; • Modernised infrastructure, including but not limited to smart grid deployment; • Regulatory clarification of the rules for competition, self-generation, net billing, net metering and power wheeling in the electricity market; • Regulatory provisions for the treatment of renewable, waste to energy and other alternative energy forms; • Appropriate tariffs for energy, differentiated by source; • Standardised power purchase agreements; and • Provisions for appropriate rates for electrical inspections. 		<u>COMPLETE</u>	Very High
10.	The Petroleum (Landing and Storage) Act	To modernized and update the legislation.		Cabinet submission regarding the proposed amendment to be drafted.	High
11.	Promulgate the Natural Gas Act	To provide for the proper legislative and regulatory framework for the gas market. It is contemplated that gas will be introduced to Jamaica.		Cabinet Submission is at Cabinet Office for the Cabinet to issue drafting instructions.	Very High
12.	The Petroleum (Quality Control) Act	<ul style="list-style-type: none"> • To review and amend the current licensing mechanisms and penalties associated with the Act, to ensure appropriate enforcement of safety standards for the petroleum sector; • To provide for appropriate charges for the inspection of petroleum facilities; • To establish standards and regulations for the introduction of low sulphur and ultra low sulphur diesel; and • To establish standards and regulations for biodiesel. 		The Chief Parliamentary Counsel is finalizing Bill.	High

**MINISTRY OF SCIENCE, TECHNOLOGY, ENERGY AND MINING
ELECTORAL OFFICE OF JAMAICA LEGISLATION PROGRAMME 2015 - 2018**

NO	NAME OF LEGISLATION	PURPOSE OF LEGISLATION	CATEGORY	PROGRESS	PRIORITY
13.	Registration and Financing of Political Parties.	To introduce regime for the registration of political parties with the Electoral Commission and for funding to be provided to registered political parties to offset administrative, operational and other costs which are specific to promoting general and internal party democracy.		COMPLETE	High
14.	Legislation to empower ECJ to prescribe electoral division and their boundaries.	To give the Electoral Commission of Jamaica the authority to prescribe electoral divisions and their boundaries. The previous Electoral Committee had this authority however the authority was revoked, in 2006 with the repeal of the Interim Electoral Reform Act of 1979. (See Parochial Elections Modification Act 1979.)		Drafting Instructions sent to the Chief Parliamentary Counsel on March 4, 2014.	High
15.	Legislation to amend select sections of the Representation of People Act and the Electoral Commission (Interim) Act 2006, as contained in Recommendation on Continuing Legal Reform.	To amend select sections of the Representation of People Act and the Electoral Commission Interim (Act) 2006, to achieve greater efficiencies in the management and conduct of elections and the administration of the Electoral Commission.		The Cabinet Submission is being prepared to request that cabinet issue drafting instructions.	High
16.	Legislation on Campaign Financing.	To provide a framework to monitor and control the flow and source of money for campaign and political financing.		Being drafted by the Chief Parliamentary Counsel.	High
17.	Act to make provision for discretionary sanctions for offences.	To remove mandatory sanctions from the electoral legislation to allow the court to exercise discretionary authority in sentencing, this in keeping with modern best practices.		Draft Cabinet Submission with MSTEM.	High
18.	Consequential Amendment	To replace the references of the Electoral Advisory Committee in certain Acts of Parliament with a reference to the Electoral Commission of Jamaica.		Bill was submitted to the Legislation Committee of Cabinet for approval.	
19.	Electoral Commission of Jamaica Process	Codifies operational processes, practices and procedures of the Electoral Commission with respect to such matters as Continuous Voter Registration		Draft regulations prepared by consultant legal draftsman and reviewed by ECJ. The	

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	Regulations	and the Election Centre.		Chief Parliamentary Counsel is reviewing the draft regulations. Regulation now with the Ministry.	
20.	Draft paper on best practices and current legislation relating to the removal, from the voter's list, the names of electors who no longer 'ordinarily reside' in a constituency through migration for instance.	Adoption of guidelines and creation of a legislative framework to allow the Director of Electors and the Electoral Commission to remove from the Voter's List, the names of electors who no longer 'ordinarily reside' in a constituency.		ECJ Sub-Committee to complete discussion and submit report.	
21.	Draft paper on "Declaration of Eligibility by intending candidates"	Amendment to the Representation of People Act of Section 23 to allow every nomination paper to be presented along with a Declaration Form stating that the person is qualified under the Constitution (Parliamentary Election). Further, to amend section 90 "False statements before Returning Officer..." to include making false declaration, re: eligibility.		ECJ Sub-Committee to consider proposal which would require amendment to Section 23 & 90 of the Act and the introduction of a Declaration Form.	
22.	Development of research paper on introduction of legislation to disallow past Directors of Elections, Independent Electoral Commissioners, etc from being nominated as candidates or serving as caretakers. Restriction to run for set period.	Amendment to the Electoral Commission of Jamaica Act or alternatively the establishment of a code of conduct prescribing a period wherein Ex-Commissioners (Independent) and ex-Directors of Elections cannot enter representational politics. The objective would be to ensure public confidence is not diminished in the operations of the ECJ or in the electoral process.		ECJ sub-Committee to initiate discussion at full Commission level.	
23.	Compendium of Election Laws, Project to incorporate sections of the Parish Council Act and the Kingston	Substantial amendment to ROPA to incorporate sections of the KSAC Act and Parish Council Act dealing with the conduct of elections. This would seek to embody all existing legislations on the conduct of elections into a consolidated document.		This project is conceptualised in 2004-2005 but was not auctioned beyond the research paper. The ECJ Sub-Committee will now initiate discussion after which the document will be presented for	

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24.	<p>and St. Andrew Corporation Act into the Representation of the People Act</p> <p>ECJ Report to Parliament dated October 1, 2008 (Add ECJ to Constitution)</p> <p>Staggering Appointments of Commissioners</p>	<p>This, among other purposes, would provide for ease of reference. The remaining sections of the KSAC Act and Parish Council Act would deal with administration of the Councils and affiliated bodies.</p> <p>Recommendation to amend the Electoral Commission (Interim) Act and to add Chapter XI to the Constitution of Jamaica to accord constitutional status to the ECJ.</p>		<p>comprehensive review and further action.</p> <p>The ECJ is one of several bodies proposed to be incorporated in the Constitution. MOJ (Peter Wilson and Jamella Simms) is piloting legislation. Most recent follow up with MOJ indicated that the draft Bill is into its fourth revision and is being revised in light of comments from stakeholders.</p>	