

ABILL

ENTITLED

AN ACT to Amend provisions relating to penalties and monetary obligations in various enactments; and for connected matters.

[]

BE IT ENACTED by the Parliament of Jamaica, 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 Law Reform (Amendment of Penalties) Act, 2025. Short title.

Amendment
of Acts,
Schedule.

2. The provisions of the enactments specified in the first column of the Schedule are amended in the manner specified in relation to them in the second column of the Schedule.

SCHEDULE (Section 2)

Amendment of Enactments

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Emergency (Lighting Control) Act

Section 4

Delete the section and substitute therefor the following—

“Offence. 4. A person who fails to comply with an express command provided in regulations made under section 2 commits an offence and shall be liable on summary conviction therefor before a Parish Court to a fine not exceeding two million dollars or to imprisonment for a term not exceeding two years.” .

National Commission on Science and Technology Act

Section 6 (2)

Delete the words “a Resident Magistrate to a fine not exceeding seventy-five thousand dollars or in default of payment thereof to imprisonment with or without hard labour for a term not exceeding three months” and substitute therefor the words “a Parish Court to a fine not exceeding five hundred thousand dollars or to imprisonment for a term not exceeding six months.” .

Section 14(3)

Delete the words “a Resident Magistrate to a fine not exceeding one million dollars or to imprisonment for a term not exceeding six months or to both such fine and imprisonment” and substitute therefor the words “a Parish Court to a fine not exceeding five million dollars or to imprisonment for a term not exceeding five years.” .

Section 14(4)

Delete subsection (4) and substitute therefor the following—

“ (4) A person to whom information is communicated, pursuant to the authority

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of the Commission, who at any time communicates or attempts to communicate to any person, otherwise than for the purposes of this Act, any such information—

- (a) the disclosure of which—
- (i) could prejudice—
 - (A) the security of Jamaica;
 - (B) public health or public safety;
 - (C) conservation, protection or proper use of the environment; or
 - (D) the intellectual property rights of any person; or
 - (ii) would constitute an actionable breach of confidence; or
- (b) which is of commercial value, which value would be, or could reasonably be expected to be destroyed or diminished if the information were disclosed,
- commits an offence and is liable—

- (i) on summary conviction before a Parish Court to a fine not exceeding five million dollars or to imprisonment for a term not exceeding five years; or

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(ii) on conviction before a Circuit Court, to a fine or to imprisonment for a term not exceeding ten years.”.

New section 17

Insert next after section 16 the following section—

“Amendment of penalties by order. 17. The Minister may, or by subject to affirmative resolution, amend the monetary penalties specified in this Act.”.

Petroleum Oil Fuel
(Landing and Storage)
Act

Section 6

1. Delete all the words appearing after the words “prescribed by the Minister”.

2. Renumber the section as section 6(1) and insert the following as subsection (2) of the section—

“ (2) Where petroleum is kept in contravention of this section—

(a) the occupier of the premises on which the petroleum is kept commits an offence and shall be liable on summary conviction therefor before a Parish Court to a fine equal to the market value of one litre of petroleum for the offence, multiplied by the volume of the petroleum stored on the premises in contravention of this section, multiplied by the number of days during which petroleum was so stored giving rise to the offence; and

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- (b) the petroleum shall be forfeited.”

Section 7 Delete section 7 and substitute therefor the following—

“ 7.—(1) A person shall not deal in or sell petroleum by retail anywhere within the Island—

- (a) without a licence issued under this Act; and
- (b) except in accordance with the terms of the licence.

(2) A person who contravenes sub-section (1) commits an offence and is liable—

- (a) on summary conviction before a Parish Court, to fine not exceeding five million dollars or imprisonment for a term not exceeding five years; or
- (b) on conviction before a Circuit Court, to a fine or imprisonment for a term not exceeding fifteen years.”

Section 16

Delete section 16 and substitute therefor the following—

“16. If an offender fails to pay a fine imposed under this Act, without delay, the court may sentence the offender to imprisonment for a term not exceeding—

- (a) one year, where the monetary penalty is one million dollars or less; or

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Section 18	(b) five years, where the monetary penalty exceeds one million dollars.”. Delete subsection (3) and substitute therefor the following— “ (3) A person who contravenes a rule or regulation made under this Act, commits an offence and is liable on summary conviction before a Parish Court, to a fine not exceeding five million dollars or to imprisonment for a term not exceeding five years.”.
Section 19 (2)	Delete subsection (2) and substitute therefor the following— “ (2) Regulations made under subsection (1) may provide for penalties not exceeding five million dollars for the breach of any regulation made pursuant to subsection (1) and such penalty may be enforced summarily in a Parish Court.”.
Section 20 (2)	Delete the words “shall be guilty of an offence and shall be liable on summary conviction in a Resident Magistrate’s Court to a fine not exceeding ten thousand dollars” and substitute therefor the following— “commits an offence and is liable— (a) on summary conviction before a Parish Court, to a fine not exceeding five million dollars or to imprisonment for a term not exceeding five years; or (b) on conviction before a Circuit Court, to a fine or to imprisonment for a term not exceeding fifteen years.”.

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New section 21

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Insert next after section 20 the following as section 21—

“Minister may amend monetary penalties.
21. The Minister may, by order subject to affirmative resolution, amend the monetary penalties specified in this Act.”.

Petroleum (Quality Control) Act

Section 3

Delete subsection (c) and substitute therefor the following—

“ (6) Any person who fails to perform a duty imposed on that person by virtue of subsection (4) or (5) commits an offence and is liable on summary conviction before a Parish Court to a fine not exceeding one million dollars or imprisonment for a term not exceeding twelve months or to both such fine and imprisonment.”.

Section 4

1. Delete subsection (5) and substitute therefor the following—

“ (5) A person who contravenes subsection (1) or (2) commits an offence and is liable—

- (a) on conviction before a Circuit Court, to a fine or to imprisonment for a term not exceeding fifteen years or to both such fine and imprisonment; or
- (b) on summary conviction before a Parish Court, to a fine not exceeding five million dollars or to imprisonment for a term not exceeding five years or to both such fine and imprisonment.”.

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2. Insert next after subsection (5), the following as subsection (5A)—

“ (5A) A person who contravenes subsection (3), (4) or (4A) commits an offence and is liable—

- (a) on summary conviction before a Parish Court, to a fine not exceeding five million dollars or to imprisonment for a term not exceeding five years or to both such fine and imprisonment; or
- (b) on conviction before a Circuit Court, to a fine or to imprisonment for a term not exceeding fifteen years or to both such fine and imprisonment.”.

Section 14

1. In subsection (1)—

- (a) delete the words “five years” and substitute therefor the words “fifteen years”;
- (b) delete paragraph (b) and substitute therefor the following—

“ on conviction before a Parish Court, to a fine not exceeding the market value of the uncontaminated petroleum at the time of sale or to imprisonment for a term not exceeding five years or to both such fine and imprisonment”; and.

2. In subsection (2)—

- (a) delete the words “five years” and substitute therefor the words “fifteen years”;

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- (b) delete paragraph (b) and substitute therefor the following—

“on conviction before a Parish Court, to a fine not exceeding the market value of the uncontaminated petroleum at the time of delivery or to imprisonment for a term not exceeding five years or to both such fine and imprisonment”; and

3. Insert next after subsection (2), the following as subsection (2A)—

“ (2A) Where a person is convicted of an offence under subsection (1) or (2), the court may make an order for payment of restitution to any person whom the court is satisfied has suffered loss as a consequence of the commission of the offence.”

Section 15

1. Delete subsection (1) and substitute therefor the following—

“ (1) Subject to subsection (2), a licensed retailer, licensed haulage contractor, or any person registered as a driver under this Act, who has possession of any contaminated petroleum commits an offence and is liable—

- (a) on summary conviction in a Parish Court to a fine not exceeding one-tenth of the market value of the uncontaminated petroleum at the date the contaminated petroleum was found in the possession of that person or to imprisonment for a term not exceeding five years; or

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- (b) on conviction before a Circuit Court, to a fine or to imprisonment for a term not exceeding fifteen years.”

2. In subsection (2), delete the words “defence to” and substitute therefor the words “defence for”.

Section 20

Delete the words “shall be guilty of an offence and shall be liable on summary conviction in a Resident Magistrate’s Court to a fine not exceeding two hundred thousand dollars or to imprisonment for a term not exceeding six months or to both such fine and imprisonment” and substitute therefor the words “commits an offence and shall be liable on conviction before a Parish Court to a fine not exceeding five million dollars or to imprisonment for a term not exceeding five years”.

New section 21

Insert next after section 20 the following as section 21—

“Minister may amend monetary penalties. 21. The Minister may, by order subject to affirmative resolution, amend the monetary penalties specified in this Act.”

Radio and Telegraph Control Act

Section 7

Delete subsection (1) and substitute therefor the following—

“ (1) A person who establishes, maintains or uses any radio apparatus in contravention of section (5) or (6) commits an offence and is liable on summary conviction before a Parish Court to a fine not exceeding five million dollars or to imprisonment for a term not exceeding five years.”

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Section 9

Delete the words "shall be guilty of an offence and shall be liable on summary conviction before a Resident Magistrate to a fine not exceeding one thousand dollars and in default of payment, to imprisonment for a term not exceeding six months" and substitute therefor the words "commits an offence and is liable on conviction before a Parish Court to a fine not exceeding one million dollars or to imprisonment for a term not exceeding twelve months".

Section 10 (2)

Delete the words "shall be guilty of an offence and shall be liable to summary conviction before a Resident Magistrate, to a fine not exceeding one thousand dollars and in default of payment, to imprisonment for a term not exceeding three months" and substitute therefor the words "commits an offence and shall be liable on conviction before a Parish Court to a fine not exceeding one million dollars or to imprisonment for a term not exceeding twelve months".

Section 11 (4)

Delete the words "shall be guilty of an offence and shall be liable to summary conviction before a Resident Magistrate to a fine not exceeding one thousand dollars and in default of payment, to imprisonment for a term not exceeding twelve months" and substitute therefor the words "commits an offence and shall be liable on conviction before a Parish Court to a fine not exceeding three million dollars or to imprisonment for a term not exceeding three years".

Section 12 (3)

Delete the words "shall be guilty of an offence under this Act and shall be liable to summary conviction before a Resident Magistrate to a fine not exceeding one thousand dollars and in default of payment, to imprisonment for a term not

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exceeding twelve months” and substitute therefor the words “commits an offence and shall be liable on conviction before a Parish Court to a fine not exceeding three million dollars or to imprisonment for a term not exceeding three years”.

Section 13

Delete section 13 and substitute therefor the following—

“Misleading messages and interception and disclosure of message.
 13.—(1) A person shall not, by means of a radio, send or attempt to send any message which that person knows—

- (a) is false or misleading;
- (b) is likely to prejudice the efficiency of any safety service;
- (c) is likely to endanger the safety of any person, vessel, aircraft or vehicle;
- (d) falsely suggests that a vessel or aircraft is in distress or in need of assistance; or
- (e) falsely suggests that a vessel or aircraft is not in distress or in need of assistance.

(2) A person who contravenes subsection (1) commits an offence and is liable on summary conviction before a Parish Court to a fine not exceeding three million dollars or imprisonment for a term not exceeding three years.

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- (3) A person shall not—
- (a) except by the authority of the Minister or within the course of duty as a servant of the Government—
- (i) use any radio station or apparatus with the intention to obtain information about the content, sender or addressee of any message (whether sent by means of radio or otherwise), which neither the person using the apparatus or any person on the behalf of such person is authorised to receive; or
 - (ii) disclose any information about the content, sender or addressee of any message which would not have come to the knowledge of that person but for

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the use of the apparatus by that or any other person, except for the purpose of any report; or

(b) disclose any information about the content, sender or addressee of any message which would not have come to the knowledge of that person but for the use of the apparatus by that or any other person, except for the purpose of legal proceedings.

(4) A person who contravenes subsection (3) commits an offence and is liable on summary conviction before a Parish Court to a fine not exceeding five million dollars or to imprisonment for a term not exceeding five years.”

Section 14

Delete the words “shall be guilty of an offence and shall be liable on summary conviction before a Resident Magistrate to a fine not exceeding one thousand dollars and in default of payment to imprisonment for a term not exceeding six months” and substitute therefor the following—

“commits an offence and is liable—

(a) on summary conviction before a Parish Court to fine not exceeding five

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million dollars or to imprisonment for a term not exceeding five years; or

- (b) on conviction before a Circuit Court to a fine or to imprisonment for a term not exceeding fifteen years”.

New section 18

Insert next after section 17 the following as section 18—

“Minister may amend monetary penalties.
18. The Minister may, by order subject to affirmative resolution, amend the monetary penalties specified in this Act”.

Scientific Research Council Act

New section 14A

Insert next after section 14 the following as section 14A—

“Minister may amend monetary penalties.
14A. The Minister may, by order subject to affirmative resolution, amend the monetary penalties specified in this Act”.

Section 18

Delete the words “shall be guilty of an offence against this Act and shall be liable on conviction to a fine not exceeding six hundred dollars or to imprisonment with or without hard labour for a term not exceeding two years, or to both such fine and imprisonment” and substitute therefor the words “commits an offence and shall be liable on summary conviction before a Parish Court to a fine not exceeding five million dollars or to imprisonment for a term not exceeding five years”.

Telecommunications Act

Section 7(5)

1. Delete the words “shall be guilty of an offence and shall be liable on summary conviction before a Resident Magistrate to a fine not exceeding five hundred thousand” and substitute therefor the words “commits an offence and shall be liable on

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summary conviction before a Parish Court to a fine not exceeding five million”.

2. Delete the word “three” and substitute therefor the word “five”.

Section 9(7)

Delete the words “shall be guilty of an offence and liable on summary conviction in a Resident Magistrate’s Court to a fine not exceeding three million dollars or to imprisonment for a term not exceeding four years or to both such fine and imprisonment” and substitute therefor the following—

“commits an offence and is liable—

- (a) on summary conviction before a Parish Court to a fine not exceeding five million dollars or imprisonment for a term not exceeding five years; or
- (b) on conviction before a Circuit Court to a fine or imprisonment for a term not exceeding fifteen years.”.

Section 49

Delete the words “shall be guilty of an offence and shall be liable on summary conviction in a Resident Magistrate’s Court to a fine not exceeding five hundred thousand dollars” and substitute therefor the words—

“commits an offence and is liable—

- (a) on summary conviction before a Parish Court, to a fine not exceeding—
 - (i) four million dollars or a term of imprisonment not exceeding four

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years in the case of a first offence; or

(ii) five million dollars or a term of imprisonment not exceeding five years in the case of any subsequent offence;

(b) on conviction before a Circuit Court, to a fine, or to a term of imprisonment not exceeding—

(i) ten years in the case of a first offence; or

(ii) fifteen years in the case of any subsequent offence.”

Section 63(5)(a)

Delete the words “in a Resident Magistrate’s Court to a fine not exceeding two million dollars or to imprisonment for a term not exceeding two years” and substitute therefor the words “before a Parish Court, to a fine not exceeding five million dollars or to imprisonment for a term not exceeding five years”.

Section 63(5)(b)

Delete the words—

(i) “on indictment”; and

(ii) “five” and substitute therefor the word “fifteen”.

Section 63A(7)

Delete the words “shall be liable on summary conviction before a Resident Magistrate’s Court, to a fine not exceeding three million dollars or to

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imprisonment for a term not exceeding one year, or to both such fine and imprisonment” and substitute therefor the words “is liable—

- (a) on summary conviction before a Parish Court, to a fine not exceeding five million dollars or to imprisonment for a term not exceeding five years; or
- (b) on conviction before a Circuit Court, to a fine or to imprisonment for a term not exceeding fifteen years”.

Section 66(1)(a)

Delete paragraph (a) and substitute therefor the following—

- “(a) order the offender to pay to the Crown a pecuniary penalty not exceeding two hundred million dollars; and”.

Section 69(3)

Delete the words “is guilty of an offence under this section shall be liable on summary conviction before a Resident Magistrate’s Court to a fine not exceeding five hundred thousand dollars or to imprisonment for a term not exceeding three years or to both such fine and imprisonment” and substitute therefor the words “commits an offence under this section shall be liable—

- (a) on summary conviction before a Parish Court, to—
 - (i) a fine not exceeding three million dollars or to imprisonment for a term not exceeding three years in the case of a first offence; and
 - (ii) a fine not exceeding five million dollars or imprisonment for a term

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not exceeding five years in the case of any subsequent offence; or

- (b) on conviction before a Circuit Court to a fine or to imprisonment for a term not exceeding fifteen years”.

Section 71(2)

1. Delete the words “in a Resident Magistrate’s Court of fines not exceeding two” and substitute therefor the words “before a Parish Court of fines not exceeding five”.

2. Delete the words “twelve months” and substitute therefor the words “five years”.

Section 72(2)

1. Delete the words “in a Resident Magistrate’s Court of fines not exceeding three” and substitute therefor the words “before a Parish Court, for breach of any such regulation, of fines not exceeding five”.

2. Delete the words “twelve months” and substitute therefor the words “five years”.

Passed in the Honourable House of Representatives this 10th day of June, 2025.

HEROY CLARKE,
Deputy Speaker.

MEMORANDUM OF OBJECTS AND REASONS

A decision has been taken, relating to several Acts under the portfolio of the Minister with responsibility for science, energy, telecommunications and transport, to—

- (a) revise penalties where appropriate; and
- (b) where not already provided for, provide a mechanism for the amendment of monetary penalties by Ministerial Order.

This Bill seeks to effect the amendments necessary to those Acts in order to give effect to that decision.

DARYL VAZ, MP
Minister of Science, Energy,
Telecommunications and Transport.

A BILL

ENTITLED

AN ACT to Amend provisions relating to
penalties and monetary obligations in various
enactments; and for connected matters.

As passed in the Honourable House of Representatives.

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SECTION 4 OF THE EMERGENCY LIGHTING CONTROL ACT WHICH
IT IS PROPOSED TO REPEAL AND REPLACE

4. Any person who refuses or fails to comply with any such express command shall be liable on summary conviction before a Resident Magistrate to a penalty not exceeding two hundred dollars.

SECTION 6(2) OF THE NATIONAL COMMISSION ON SCIENCE AND
TECHNOLOGY ACT WHICH IT IS PROPOSED TO AMEND

6.—(1) All persons summoned to attend and give evidence or to produce any book, plan or document before the Commission—

... ..

(2) Any person who—

- (a) without sufficient cause, fails or refuses to attend before the Commission in obedience to a summons under this Act, or fails or refuses so produce my book, plan or document which he was required by such summons to produce; or
 - (b) being a witness, leaves the Commission without the permission of the Commission; or
 - (c) being a witness, refuses, without sufficient cause, to answer any question put to him by or with the permission of the Commission; or
 - (d) willfully obstructs or interrupts the proceedings of the Commission,
- shall be liable on summary conviction before a Resident Magistrate to a fine not exceeding seventy-five thousand dollars or in default of payment thereof to imprisonment with or without hard labour for a term not exceeding three months.

SECTION 14(3) OF THE NATIONAL COMMISSION ON SCIENCE AND
TECHNOLOGY ACT WHICH IT IS PROPOSED TO AMEND

14.—(1) Every person having an official duty or being employed in the administration of this Act shall—

... ..

(3) A person who is convicted of an offence under subsection (2) shall be liable on summary conviction before a Resident Magistrate to a fine not exceeding one million dollars or to imprisonment for a term not exceeding six months or to both such fine and imprisonment.

SECTION 14(4) OF THE NATIONAL COMMISSION ON SCIENCE AND
TECENOLGY ACT WHICH IT IS PROPOSED TO AMEND

(4) A person to whom information is communicated pursuant to the authority of the Commission, who at any time communicates or attempts to communicate to any person otherwise than for the purposes of this Act, any such information—

- (a) the disclosure of which could prejudice—
 - (i) the security of Jamaica;
 - (ii) public health or public safety;
 - (iii) conservation, protection or proper use of the environment; or
 - (iv) the intellectual property rights of any persons;
- (b) which is of commercial value, which value would be, or could reasonably be expected to be, destroyed or diminished if the information were disclosed; or
- (c) the disclosure of which would constitute an actionable breach of confidence,

shall be guilty of an offence and liable on summary conviction before a Resident Magistrate to a fine not exceeding one million dollars.

SECTION 6 OF THE PETROLEUM OIL FUEL (LANDING AND
STORAGE) ACT WHICH IT IS PROPOSED TO AMEND

6. No petroleum shall be kept in quantity exceeding one hundred and twenty gallons, or in the case of petroleum giving off inflammable vapour at any temperature lower than seventy-three degrees of Fahrenheit's thermometer, in quantity exceeding eight gallons, otherwise than in a building specially appointed for the purpose by the Minister, and under such conditions as to the mode of storage, the nature of the goods with which petroleum may be stored, and as to the testing of such petroleum from time to time, as may be prescribed by the Minister. Any petroleum kept in contravention of this section shall be forfeited, and in addition, the occupier of the premises, in which such petroleum is kept, shall be liable to a penalty of five hundred dollars a day for each day during which petroleum is therein kept in contravention of this Act.

SECTION 7 OF THE PETROLEUM OIL FUEL (LANDING AND
STORAGE) WHICH IT IS PROPOSED TO REPEAL AND REPLACE

7. No person shall deal in or sell petroleum by retail anywhere within this Island, without a licence given in accordance with this Act, or otherwise than

according to the terms of such licence, under a penalty not exceeding ten thousand dollars for each offence.

SECTION 16 OF THE PETROLEUM OIL FUEL (LANDING AND STORAGE) ACT WHICH IT IS PROPOSED TO REPEAL AND REPLACE

16. If any penalty imposed under this Act be not paid forthwith, the offender shall, in the discretion of the court, be liable to imprisonment, with or without hard labour, in any prison, for a term not exceeding six months.

SECTION 18(3) OF THE PETROLEUM OIL FUEL (LANDING AND STORAGE) ACT WHICH IT IS PROPOSED TO AMEND

18.—(1) Subject to the provisions of this Act, it shall be lawful for the Minister from time to time—

... ..

(3) A breach of any rule or regulation made under this Act may on summary conviction be punished by a fine not exceeding ten thousand dollars and in default of payment by imprisonment with or without hard labour for any period not exceeding three months.

SECTIONS 19(2) OF THE PETROLEUM OIL FUEL (LANDING AND STORAGE) ACT WHICH IT IS PROPOSED TO AMEND

19.—(1)

(2) The Minister may attach penalties, not exceeding one thousand dollars, for the breach of any rules or regulations made as aforesaid and every such penalty may be enforced summarily in a Resident Magistrate's Court.

SECTION 20(2) OF THE PETROLEUM OIL FUEL (LANDING AND STORAGE) ACT WHICH IT IS PROPOSED TO AMEND

20.—(1)

(2) Any person who fails to comply with subsection (1) or who, for any purpose connected with this Act, with intent to deceive—

- (a) makes, or causes to be made, any false declaration, whether oral or written; or
- (b) uses, or causes to be used, any false certificate; or
- (c) makes, or causes to be made, any alteration or falsification in any document after that document has been officially issued,

shall be guilty of an offence and shall be liable on summary conviction in Resident Magistrate's Court to a fine not exceeding ten thousand dollars.

SECTION 3 OF THE PETROLEUM (QUALITY CONTROL) ACT WHICH IT IS PROPOSED TO AMEND

3.—(1) For the purposes of this Act, petroleum is contaminated if a sample of any category of petroleum

... ..

(6) Any person who fails to perform any duty cast on him by subsection (4) or (5) shall be guilty of an offence and shall be liable on summary conviction in a Resident Magistrate's Court to a fine not exceeding two hundred thousand dollars or to imprisonment for a term not exceeding six months or to both such fine and imprisonment.

SECTION 4 OF THE PETROLEUM (QUALITY CONTROL) ACT WHICH IT IS PROPOSED TO AMEND

4.—(1) Subject to the provisions of this Act, no person shall sell petroleum by retail unless he—

... ..

(5) Every person who contravenes subsection (1), (2), (3), (4) or (4A) shall be guilty of an offence and shall be liable—

(a) on conviction on indictment in a Circuit Court, to a fine or to imprisonment for a term not exceeding five years or to both such fine and imprisonment;

(b) on summary conviction in a Resident Magistrate's Court, to a fine not exceeding one million dollars or to imprisonment for a term not exceeding two years or to both such fine and imprisonment.

SECTION 14 OF THE PETROLEUM (QUALITY CONTROL) ACT WHICH IT IS PROPOSED TO AMEND

14.—(1) Any person who knowingly sells or offers for sale contaminated petroleum shall be guilty of an offence and shall be liable—

(a) on conviction in a Circuit Court to a fine or to imprisonment for a term not exceeding five years or to both such fine and imprisonment;

- (b) on conviction on indictment in a Resident Magistrate's Court to a fine not exceeding one million dollars or to imprisonment for a term not exceeding two years or to both such fine and imprisonment.

(2) Any person who knowingly delivers contaminated petroleum to a licensed retailer or to any other person for distribution (whether by sale or otherwise) shall be guilty of an offence and shall be liable—

- (a) on conviction in a Circuit Court to a fine or to imprisonment for a term not exceeding five years or to both such fine and imprisonment;
- (b) on conviction on indictment in a Resident Magistrate's Court to a fine not exceeding one million dollars or to imprisonment for a term not exceeding two years or to both such fine and imprisonment.

SECTION 15 OF THE PETROLEUM (QUALITY CONTROL) ACT WHICH IT IS PROPOSED TO AMEND

15.—(1) A licensed retailer, licensed haulage contractor or a person registered as a driver under this Act who has in his possession any contaminated petroleum shall, subject to subsection (2), be guilty of an offence and shall be liable on summary conviction in a Resident Magistrate's Court to a fine not exceeding one million dollars or to imprisonment for a term not exceeding two years.

(2) It shall be a defence to a person charged under subsection (1) to prove that—

- (a) he did not know or had no reason to suspect that the petroleum was contaminated; or
- (b) he knew of or had reason to suspect the contamination and made a report thereof pursuant to section 3 (4) or (5).

SECTION 20 OF THE PETROLEUM (QUALITY CONTROL) ACT WHICH IT IS PROPOSED TO AMEND

20.—(1) Any person who—

- (a) assaults or obstructs an inspector, analyst or any other officer acting in the execution of his duty under this Act;
- (b) contravenes the provisions of subsection (4) of section 17 or any regulations made under this Act,

shall be guilty of an offence and shall be liable on summary conviction in a Resident Magistrate's Court to a fine not exceeding two hundred thousand dollars or to imprisonment for a term not exceeding six months or to both such fine and imprisonment.

SECTION 7(1) OF THE RADIO AND TELEGRAPH CONTROL ACT
WHICH IT IS PROPOSED TO AMEND

7.—(1) Every person who establishes, maintains or uses any radio station or apparatus in contravention of section 5 or 6 shall be guilty of an offence, and shall be liable on summary conviction before a Resident Magistrate to a fine not exceeding one thousand dollars and in default of payment, to imprisonment for a term not exceeding twelve months.

SECTION 9 OF THE RADIO AND TELEGRAPH CONTROL ACT
WHICH IT IS PROPOSED TO AMEND

9. Every person (hereinafter referred to as a dealer) who, by way of his trade or business, hires, sells, exchanges or deals in any radio station or apparatus save under the terms of a valid licence issued to him for that purpose under this Act, shall be guilty of an offence and shall be liable on summary conviction before a Resident Magistrate to a fine not exceeding one thousand dollars and in default of payment to imprisonment for a term not exceeding six months.

SECTION 10(2) OF THE RADIO AND TELEGRAPH CONTROL ACT
WHICH IT IS PROPOSED TO AMEND

10.—(1) Any person other than a dealer, who sells exchanges or otherwise disposes of, any radio station or

...

...

...

(2) Any person as aforesaid who fails to notify the authorized person of a transaction in accordance with subsection (1), shall be guilty of an offence, and shall be liable on summary conviction before a Resident Magistrate, to a fine not exceeding one thousand dollars and in default of payment to imprisonment for a term not exceeding three months.

SECTION 11(4) OF THE RADIO AND TELEGRAPH CONTROL ACT
WHICH IT IS PROPOSED TO AMEND

11.—(1) The Minister may from time to time designate any public officer by name or by the title of his office to be an

...

...

(4) The owner or person in charge of any premises, vehicle, vessel or aircraft entered by an inspector pursuant to subsection (2) and every person found therein shall give the inspector all reasonable assistance in their power and furnish him with such information as he may reasonably require and any person who obstructs, hinders or prevents any such inspector from entering as aforesaid shall be guilty of an offence under this Act, and shall be liable on summary conviction before a Resident Magistrate to a fine not exceeding one

thousand dollars and in default of payment to imprisonment for a term not exceeding twelve months.

SECTION 12(3) OF THE RADIO AND TELEGRAPH CONTROL ACT WHICH IT IS PROPOSED TO AMEND

12.—(1) Where a Justice of the Peace is satisfied by information on oath that there is reasonable ground for

... ..

(3) Any person who obstructs, hinders, or prevents any inspector authorized pursuant to subsection (1) from entering as aforesaid shall be guilty of an offence under this Act and shall be liable on summary conviction before a Resident Magistrate to a fine not exceeding one thousand dollars and in default of payment to imprisonment for a term not exceeding twelve months.

SECTION 13 OF THE RADIO AND TELEGRAPH CONTROL ACT WHICH IT IS PROPOSED TO REPEAL AND REPLACE

13. Any person who—

- (a) by means of radio sends or attempts to send, any message which to his knowledge, is false or misleading and is, to his knowledge, likely to prejudice the efficiency of any safety service or endanger the safety of any person or of any vessel, aircraft or vehicle, and, in particular, any message which, to his knowledge, falsely suggests that a vessel or aircraft is in distress or in need of assistance or is not in distress or not in need of assistance; or
- (b) otherwise than by authority of the Minister or in the course of his duty as a servant of the Government, either—
 - (i) uses any radio station or apparatus with intent to obtain information as to the content, sender or addressee of any message (whether sent by means of radio or otherwise) which neither the person using the apparatus nor any person on whose behalf he is acting, is authorized by the Minister to receive; or
 - (ii) except in the course of legal proceedings or for the purpose of any report thereof, discloses any information as to the content, sender or addressee of any such message, being information which would not have come to his knowledge but for the use of that apparatus by him or by another person,

shall be guilty of an offence under this Act, and shall be liable on summary conviction before a Resident Magistrate to a fine not exceeding one thousand dollars and in default of payment to imprisonment for a term not exceeding six months.

SECTION 14 OF THE RADIO AND TELEGRAPH CONTROL ACT WHICH IT IS PROPOSED TO AMEND

14. Any person who uses any apparatus for the purpose of causing harmful interference to any radio service shall be guilty of an offence and shall be liable on summary conviction before a Resident Magistrate to a fine not exceeding one thousand dollars and in default of payment to imprisonment for a term not exceeding six months.

SECTION 18 OF THE SCIENTIFIC RESEARCH COUNCIL ACT WHICH IT IS PROPOSED TO AMEND

18. Any person who—

- (a) being a member, officer, agent or servant of the Council, without the authority of the Council publishes or communicates to any person otherwise than in the course of his duties as a member, officer, agent or servant of the Council, any information acquired by him in the course of such duties; or
- (b) being in possession of any information which to his knowledge has been disclosed in contravention of this Act, publishes or communicates such information to any person,

shall be guilty of an offence against this Act and shall be liable on conviction to a fine not exceeding six hundred dollars or to imprisonment with or without hard labour for a term not exceeding two years, or to both such fine and imprisonment.

SECTION 7(5) OF THE TELECOMMUNICATIONS ACT WHICH IT IS PROPOSED TO AMEND

7.—(1) Every person having any official duty or being employed in the administration of this Act shall regard and deal with as secret and confidential all confidential information

(5) A person who contravenes subsection (2) shall be guilty of an offence and shall be liable on summary conviction before a Resident Magistrate to a fine not exceeding five hundred thousand dollars or to imprisonment for a term not exceeding three years or to both such fine and imprisonment.

SECTION 9(7) OF THE TELECOMMUNICATIONS ACT
WHICH IT IS PROPOSED TO AMEND

9.—(1) A person shall not—

... ..

(7) Any person who contravenes subsection (1) or (2) shall be guilty of an offence and liable on summary conviction in a Resident Magistrate's Court to a fine not exceeding three million dollars or to imprisonment for a term not exceeding four years or to both such fine and imprisonment.

SECTION 49 OF THE TELECOMMUNICATIONS ACT
WHICH IT IS PROPOSED TO AMEND

49. A service provider who knowingly permits its services or facilities to be used by any person to defraud, abuse, annoy, threaten or harass any other person shall be guilty of an offence and shall be liable on summary conviction in a Resident Magistrate's Court to a fine not exceeding five hundred thousand dollars.

SECTION 63(5)(a) OF THE TELECOMMUNICATIONS ACT
WHICH IT IS PROPOSED TO AMEND

63.—(1) A person commits an offence if he—

... ..

(5) A person who commits an offence under subsection (1) or (2) shall be liable—

(a) on summary conviction is a Resident Magistrate's Court to a fine not exceeding two million dollars or to imprisonment for a term not exceeding two years, or to both such fine and imprisonment; or

SECTION 63(5)(b) OF THE TELECOMMUNICATIONS ACT WHICH IT
IS PROPOSED TO AMEND

(b) on conviction on indictment in a Circuit Court, to a fine or to imprisonment for a term not exceeding five years, or to both such fine and imprisonment.

SECTION 63A(7) OF THE TELECOMMUNICATIONS ACT WHICH IT
IS PROPOSED TO AMEND

(7) A person who commits an offence under subsection (1) shall be liable on summary conviction in a Resident Magistrate's Court, to a fine not exceeding three million dollars or to imprisonment for a term not exceeding one year, or to both such fine and imprisonment.

SECTION 56(1)(a) OF THE TELECOMMUNICATIONS ACT WHICH IT IS
PROPOSED TO AMEND

- 66.—(1) The Court may, pursuant to an application under section 65(1)—
- (a) order the offending licensee to pay to the Crown a pecuniary penalty not exceeding two hundred million dollars or the offending spectrum licensee to pay to the Crown a pecuniary penalty not exceeding three million dollars; and

SECTION 69(3) OF THE TELECOMMUNICATIONS ACT WHICH IT IS
PROPOSED TO AMEND

- 69.—(1) A person commits an offence if he—

- (3) A person who is guilty of an offence under this section shall be liable on summary conviction in a Resident Magistrate's Court to a fine not exceeding five hundred thousand dollars or to imprisonment for a term not exceeding three years or to both such fine and imprisonment.

SECTION 71(2) OF THE TELECOMMUNICATIONS ACT WHICH IT IS
PROPOSED TO AMEND

- 71.—(1) Unless otherwise specified in this Act, the Office may make rules subject to affirmative resolution prescribing any

- (2) Notwithstanding the provisions of section 29 of the Interpretation Act, rules made pursuant to this Act may provide for the imposition of penalties on summary conviction in a Resident Magistrate's Court of fines not exceeding two million dollars or imprisonment for a term not exceeding or both such fine and imprisonment.

SECTION 72(2) OF THE TELECOMMUNICATIONS ACT WHICH IT IS
PROPOSED TO AMEND

- 72.—(1) The Minister may make regulations generally for

- (2) Notwithstanding the provisions of section 29 of the Interpretation Act, regulations made under subsection (1) may provide for the imposition of penalties on summary conviction in a Resident Magistrate's Court of fines not exceeding three million dollars or imprisonment for a term not exceeding twelve months or both such fine and imprisonment.