

# WE THE PEOPLE

## Proposed

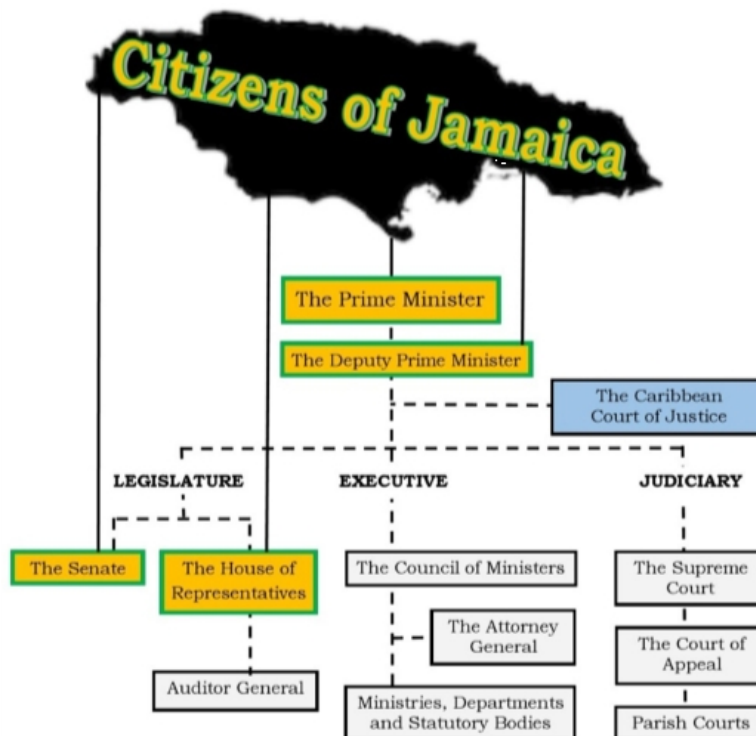
# CONSTITUTION OF REPUBLIC JAMAICA



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**“...to create a new and glorious history for ourselves and our future generations that shall increase our self-esteem, dignity and integrity, ...”**

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# **ACKNOWLEDGMENT**

**Drafted by:** Haile Mika’el Cujo  
Belmont District, Bluefields P.O., Westmoreland, Jamaica, W.I.  
1-876-225-1163 / hailemikaelcujo@gmail.com / @HaileMikaelCujo

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**Assisted by:** Gordon Robinson, Attorney-at-law  
Anthony Gifford KC, Attorney-at-law  
Colonel Richard Currie, Chief of the Accompong Maroons  
Colonel Wallace Sterling, Chief of the Moore Town Maroons  
The Fifth MonaLaw Public Law Debate, March 20, 2023  
Jamaican Citizens at home and abroad

**Originally Dated:** © July 286, 2021

**Revised ©:** 2021 - Aug. 25  
2022 - Jan. 26; Mar. 8 & 28; May 2; July 14; Aug. 11; Oct. 7; Nov. 17; Dec. 12  
**2023 - May 1**

**Based mainly on:** “The 1955 Revised Constitution of Ethiopia”  
**Written by:** His Imperial Majesty, Haile Selassie 1<sup>st</sup>, King of Kings of Ethiopia

**With excerpts from:** The 1738 and other British/Maroon Treaties  
The Abuja Declaration of the First Pan-African Conference on  
Reparations, held in Abuja, Nigeria, April 27 - 29, 1993  
and, other Documents.

## **Note well:**

While Haile Mika’el Cujo is credited with authorship of **WE THE PEOPLE Proposed CONSTITUTION OF REPUBLIC JAMAICA (WTPPCORJ)**, it is truly “a Jamaican document” because, in addition to the above-named people and event, he included recommendations from **Jamaican Citizens at home and abroad**, many of whom shall remain anonymous.

The main aim of WTPPCORP is to “**create a new and glorious history for ourselves and our future generations that shall increase our self-esteem, dignity and integrity.**” This is in fulfillment of Right Excellent Marcus Mosiah Garvey’s statement: “We have a glorious history and will create one in the future that will astonish the world.”

Therefore, a new way of thinking; **A MENTALLY EMANCIPATED WAY OF THINKING;** is needed, when dealing with this document.

# Declaration of **THE REPUBLIC OF JAMAICA**

WE, the undersigned, sixty-three duly elected Representatives of the People of Jamaica, the six duly elected Representatives of the Maroons of Jamaica and the Taino Chief of Jamaica, **acting in the best interests of**

**THE CITIZENS OF JAMAICA,**

**whose desire it is to create a new and glorious history for ourselves and our future generations that shall increase our self-esteem, dignity and integrity** while, simultaneously, removing for all time, every remnant of the brutality committed against our citizens of the past and present by The British Monarchy - our former colonizers from 1655 to 1962 and our former overseers from 1962 to now - evidenced by their inflicting upon us the evil institutions of slavery, the slave trade and neo-colonialist administrations of government, enforced by their 1738 Articles of Pacification and other Treaties made with the Maroons and their Constitution of August 6, 1962 made with the rest of Jamaica that are contrary to the third line of our National Anthem that states,

***“KEEP US FREE FROM EVIL POWERS”*,**

do hereby abolish all those documents and instead thereof

institute, establish and ordain this

**CONSTITUTION OF REPUBLIC JAMAICA**

that is effective onward from the sixteenth day of October in the Year of our LORD two thousand and twenty-three (16<sup>th</sup> October, 2023 A.D.); our,

***“INDEPENDENT REPUBLIC DAY”*,**

by virtue of it having been already established as our National Heroes Day.

SIGNED by:

T (Taino)

M (Maroon)

C (Constituency)

#	Name of Representative	Signature of Representative	Area of Representation
T1	Kasike Kalaan Robert Nibouri		Taino Chief of Jamaica
M1	Colonel Michael Grizzle		Flagstaff (Trelawny Town), St. James
M2	Colonel Richard Currie		Accompong, St. Elizabeth
M3	Colonel Wallace Sterling		Moore Town (New Nanny Town), Portland
M4	Colonel Marcia Douglas		Charles Town, Portland
M5	Colonel Lloyd Lattibudaire		Scotts Hall, St. Mary
M6	Paramount Chieftainess, Queen Gaamang Gloria Simms		Leader of the Maroon Indigenous Women's Circle
C1	Desmond McKenzie, CD		Kingston Western
C2	Donovan St Ledger Williams		Kingston Central
C3	Phillip Feanny Paulwell, CD		Kingston East and Port Royal
C4	Juliet Cuthbert Flynn		St. Andrew West Rural
C5	George Anthony Hylton		St. Andrew Western
C6	Andrew Michael Holness, ON		St. Andrew West Central
C7	Peter David Phillips		St. Andrew East Central
C8	Dr. Angela Brown-Burke,		St. Andrew South Western
C9	Mark Jefferson Golding		St. Andrew Southern
C1 0	Julian Jay Robinson		St. Andrew South Eastern
C1 1	Fayval Shirley Williams		St. Andrew Eastern
C1 2	Delroy Chuck, QC		St. Andrew North Eastern
C1 3	Karl George Samuda, CD		St. Andrew North Central
C1 4	Dr. Nigel Clarke		St. Andrew North Western
C1 5	Juliet A, Holness		St. Andrew East Rural
C1 6	James R. E. Robertson		St. Thomas Western
C1 7	Michelle J. Charles,		St. Thomas Eastern
C1 8	Ann-Marie Theresa Vaz		Portland Eastern
C1 9	Daryl Wesley Vaz		Portland Western
C2 0	Norman A. Dunn		St. Mary South Eastern

C2 1	Dr. Morais Valentine Guy		St. Mary Central
C2 2	Robert Montague		St. Mary Western
C2 3	Lisa Hanna		St. Ann South Eastern
C2 4	Marsha Leonette Smith		St. Ann North Eastern
C2 5	Krystal Kerry-Ann Lee		St. Ann North Western
C2 6	Zavia Taze Mayne		St. Ann South Western
C2 7	Tova Tené Hamilton		Trelawny Northern
C2 8	Marisa Philibert-Dalrymple		Trelawny Southern
C2 9	Edmund Curtis Bartlett, CD		St. James East Central
C3 0	Horace Anthony Chang, CD		St. James North Western
C3 1	Heroy Anthony Clarke		St. James Central
C3 2	Marlene Malahoo Forte, QC		St. James West Central
C3 3	Homer E. Davis		St. James Southern
C3 4	David Hume Brown		Hanover Eastern
C3 5	Tamika Yolande Davis		Hanover Western
C3 6	Morland Agry Wilson		Westmoreland Western
C3 7	George Errol Wright		Westmoreland Central
C3 8	Daniel Anthony Lawrence		Westmoreland Eastern
C3 9	William James C Hutchinson		St. Elizabeth North Western
C4 0	Delroy Anthony Sloley		St. Elizabeth North Eastern
C4 1	Floyd OBrian Green		St. Elizabeth South Western
C4 2	Franklin R. Witter		St. Elizabeth South Eastern
C4 3	Robert Phillip Chin		Manchester Southern
C4 4	Rhoda Moy Crawford		Manchester Central
C4	Mikael Asher Phillips		Manchester North Western

5		
C4 6	Audley Fitz Albert Shaw, CD	Manchester North Eastern
C4 7	Phillip Bruce Cohen Henriques	Clarendon North Western
C4 8	Dwight Anthony Sibblies	Clarendon Northern
C4 9	Robert Nesta Morgan	Clarendon North Central
C5 0	Lester Michael Henry, OJ, CD	Clarendon Central
C5 1	Lothian O.D. Cousins	Clarendon South Western
C5 2	Pearnel Patroe Charles Jr.	Clarendon South Eastern
C5 3	Hugh Anthony Graham	St. Catherine North Western
C5 4	Clifford Everaldo E Warmington	St. Catherine South Western
C5 5	Fitz Aurthur Jackson, CD	St. Catherine Southern
C5 6	Olivia Atavia Grange, CD	St. Catherine Central
C5 7	Robert Delano Miller	St. Catherine South Eastern
C5 8	Natalie Neita	St. Catherine North Central
C5 9	Dr. Christopher Tufton	St. Catherine West Central
C6 0	Kerensia A. Morrison	St. Catherine North Eastern
C6 1	Joyce Denise Daley	St. Catherine Eastern
C6 2	Andrew O'Brien Wheatley	St. Catherine South Central
C6 3	Alando N. Terrelonge	St. Catherine East Central

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**CONSTITUTION OF REPUBLIC JAMAICA**

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**CHAPTER 1**  
**The Country of Jamaica, Its People and their Rights and Duties**  
(Articles 1 – 32)

Article 1

- (a) This **CONSTITUTION OF REPUBLIC JAMAICA** is the Supreme Law of the Country; therefore, neither Parliament nor any organ of the State, shall not pass any law or do anything to infringe, or limit, or abrogate, or change, or adjust or refine the fundamental rights outlined herein, except as provided for in **Article 33 (h)**.
  
- (b) All present and future laws, legislations, decrees, orders, judgments, decisions, acts and, international treaties, conventions and obligations, to which Jamaica is and or shall be party, that are inconsistent herewith, shall be null and void.
  
- (c) **THE SOVEREIGNTY** of the Country is vested in **THE CITIZENS OF JAMAICA**.

- (d) Respect for the rights and freedoms of others and the requirements of public order and the general welfare, shall alone justify any limitations upon the rights guaranteed in the Articles of this present CHAPTER.

#### Article 2

- (a) The Country, **JAMAICA**, shall consist of the main island in the Caribbean Sea situated at Latitude 18 degrees 15 minutes North and Longitude 77 degrees 30 minutes West and all the Cays and islets around it, to a distance of thirteen and three-quarter (13.75) miles, which is twelve (12) nautical miles, which is twenty-two (22) kilometers, outward from its shore.
- (b) The City of Kingston is the Capital of the Country.

#### Article 3

**The JAMAICAN NATIONAL** shall be

- (a) a person born in Jamaica,
- (b) a person who has applied for and is granted citizenship.

#### Article 4

No one shall be deprived the equal protection of the law.

#### Article 5

There shall be no discrimination amongst Jamaican Citizens with respect to the enjoyment of all civil rights.

#### Article 6

Jamaican Citizens shall enjoy all the Rights stated in the Universal Declaration of Human Rights of the United Nations.

#### Article 7

There shall be no interference with the exercise of the rites of any **RELIGION** or creed by residents of Jamaica, provided that such rites be not utilized for political purposes or be not prejudiced to public order or morality. No one shall utilize religious activities or organizations for commercial purposes except as authorized by law.

#### Article 8

- (a) Freedom of speech and of the Press is guaranteed throughout the country.



- (b) The Indigenous Jamaican Language – “Patwa Jengge” - is the accepted mode of expression throughout the country, however, in international communication, the English language shall take preeminence, except in cases where it is mutually agreed to do otherwise.

#### Article 9

Correspondence shall be subject to no censorship, except in times of declared national emergency.

#### Article 10

No one within the country shall be deprived of property without due process of law.

#### Article 11

Everyone has the right to own and dispose of property. No one may be arbitrarily deprived of property.

#### Article 12

- (a) The MAROONS, being the descendants of The Tainos and Free Africans who occupied Jamaica before the 1494 arrival of Christopher Columbus and of former enslaved Africans, recognized locally and internationally as “Indigenous People of Jamaica”, shall collectively own and administrate the following surveyed and clearly defined parcels of land, by virtue of these lands being their **Ancestral Homelands** from prior to 1655, as acknowledged by the British in treaties dated 1738 and 1739, amounting to;
- (i) approximately two hundred and eighty-seven thousand (287,000) acres (approximately 116,000 hectares), comprised of Trelawny Town (Flagstaff) in St. James and “all the lands situate and lying between Trelawney Town and the Cockpits, to the amount of fifteen hundred (1,500) acres, bearing northwest from the said Trelawney Town”, unto and including Accompong Town in St. Elizabeth;
  - (ii) over five hundred (500) acres at Moore Town, formerly New Nanny Town, in Portland;
  - (iii) over five hundred (500) acres at Charles Town in Portland; and,
  - (iv) over five hundred (500) acres at Scotts Hall in St. Mary.
- (b) These MAROON **Ancestral Homelands** shall be administered by their Leadership in their respective area, who are elected from among themselves as is customary, consistently, for generations past and up until now.

- (c) Notwithstanding the provisions of **Article 11**, these MAROON **Ancestral Homelands** shall not be sold, leased, rented or disposed of in any way or by any means, neither shall any Tax, Levy or Duty be extracted from their Administrators as a result of this privilege, as the Lands represent the successful resistance of The Tainos, Free Africans and former enslaved Africans and their descendants, collectively referred to as “The MAROONS”, against the oppression of the Spanish and the British from 1494 and who have earned the status of “Indigenous People”.
- (d) Notwithstanding the provisions of **Article 12 (a)** and **Article 12 (b)**, citizens who hold a Registered Title to land that is located within these surveyed and clearly defined MAROON Ancestral Homelands, shall have the option to either;
- (i) be compensated in cash and or kind by the MAROONS and thereafter, relinquish every hold on such land; or,
  - (ii) continue having possession and pay the Taxes, to The REPUBLIC OF JAMAICA, associated with holding a Registered Title.
- (e) In keeping with **Article 11**, individual MAROONS and their descendants are eligible to acquire, possess and dispose of separate lands by virtue of them being Jamaicans. They will then be required to pay the Taxes, Duties and or Levies charged for this privilege.
- (f) By virtue of the provisions of **Article 12 (a)**;
- (i) The Maroons shall elect from among themselves, exclusively, six (6) Representatives of the People (RP) to be numbered among the one hundred and twenty-five (125) members of the House of Representatives of the Parliament of Jamaica, as provided for in **Article 48**;
  - (ii) One (1) RP each shall be designated for the Moore Town, Scott's Hall and Charles Town allotments, while three (3) shall be designated for The Joint Trelawny Town / Accompong Town allotment. These allotments shall be equivalent, in all respects, to the other one hundred and nineteen (119) constituencies of the country. To this end, The Joint Trelawny Town / Accompong Town allotment shall count as three (3) constituencies;
  - (iii) Their election and duties shall be in keeping with the provisions of **Article 48**.
- (g) Citizens who are not Maroons but who fulfill the provisions of **Article 12 (d) (ii)** shall comply with **Article 12 (f)** and, additionally, be entitled to stand as a candidate in such elections but only as a representative of the Maroons.

Jamaican citizens shall have the right to assemble peacefully.

#### Article 14

- (a) Freedom to travel within the country and to change domicile therein is assured to all citizens of the country.
  
- (b) In respect of **REPATRIATION**, Jamaican citizens who desire to be repatriated to an African state due to their legal claim of being of African descent and to obtain residence there, may do so, providing there is no disqualifying element on their claim to the “right to return” to their ancestral home, Africa.

#### Article 15

Every Jamaican has the right to engage in any occupation and, to that end, to form or join associations and to resign their membership in any association. They shall have the right to, individually or through their association(s), negotiate the terms of work and payment for their labour. No one shall be compelled to join any association.

#### Article 16

- (a) The Jamaican Family, as the source of the maintenance and development of the country and the primary basis of education and social harmony, is under the special protection of the law.
  
- (b) Every citizen under the age of eighteen years is hereby designated a child, and is therefore under the jurisdiction of, firstly, their parents, and in default thereof, either a legal guardian or The REPUBLIC OF JAMAICA.
  - (i) They shall enjoy all rights stated in the United Nations’ Declaration of The Rights of The Child, but shall have no right to the provisions guaranteed to adults, as stated in **Article 16 (c)**.
  
  - (ii) Parents shall have a prior right to choose the kind of education that shall be given to their children, providing it is consistent with the provisions of this Constitution.
  
- (c) Every citizen, eighteen years and older, is hereby designated an adult. They shall have the right: of consent, to marry, to start and raise a family, to participate in the process of Universal Adult Suffrage, and, if qualified, to stand as a candidate in any election for the Office of Prime Minister, Deputy Prime Minister, or a seat in the Parliament of the country.
  
- (d) Every citizen, sixty-three years and older, is hereby designated a Senior Citizen. They shall have the right to choose to retire from gainful employment and be eligible to collect a pension from the fund they contributed to during their working years, or, to continue

working and delay receiving said pension until such time as they may retire. They shall receive all benefits offered by the REPUBLIC OF JAMAICA to Senior Citizens, regardless of their choice, in respect of their retirement date.

#### Article 17

- (a) No Jamaican national shall be banished from the country.
- (b) Jamaican nationals who reside overseas and possess dual-citizenship, may vote in elections in Jamaica, providing:
  - (i) they spend an accumulated total of at least one hundred and eighty (180) days in the country during the four (4) years immediately preceding the election in which they intend to vote, and,
  - (ii) they vote only in the constituency in which the address on their Elector Registration Identification Card is located, which must not have been changed within the four years immediately preceding the said election.
- (c) Jamaican students studying overseas are exempted from **Article 17 (b) (i)** but must fulfill **Article 17 (b) (ii)**.

#### Article 18

- (a) No Jamaican national shall be extradited to a foreign country.
- (b) No other person shall be extradited, except to their own country.
- (c) Jamaican nationals charged with committing a crime in a foreign country, who are arrested in Jamaica, shall be tried in The Supreme Court of Jamaica, based on the evidence provided by the offended foreign country. If found guilty, such citizen shall pay: all related Court costs, reparation to the offended foreign country, and, as may be the case, be incarcerated in Jamaica in accordance with the provisions of the Law or Laws thus violated.

#### Article 19

- (a) No one may be arrested without a warrant issued by a court, except in case of reasonable suspicion of a flagrant or serious violation of the law in force.
- (b) The period of detention shall be reckoned as a part of the term of imprisonment imposed by sentence.
- (c) No one shall be held in prison awaiting trial on a criminal charge, the sole penalty for which is a fine.

- (d) Every arrested person shall be photographed, fingerprinted and taken, within forty-eight (48) hours of being arrested, before a Notary Public or Parish Judge for a bail hearing and the setting of a Court date.
- (e) Citizens arrested for a Capital offence must be brought to trial within two hundred and seventy (270) days of being arrested, with the trial lasting no longer than fifteen consecutive working days.
- (f) Citizens arrested for crimes not designated as Capital, must be brought to trial within one hundred and fifty (150) days of being arrested, with the trial lasting no longer than twelve (12) consecutive working days.
- (g) Failure by Agents of THE REPUBLIC to bring arrested citizens to trial within the stipulated period, as the case may be, will result in an acquittal. A citizen thus acquitted, shall have the right to sue the Arresting Agent for false arrest and imprisonment and, to have the record of their photograph and fingerprint, collected in accordance with **Article 19 (d)**, destroyed.
- (h) In Civil cases, the Court must ensure that the Defendant is brought to trial within ninety (90) days of him receiving a Summons issued by It on behalf of the Plaintiff, with the Trial lasting no more than five (5) consecutive working days. Failure by the Court to fulfill this provision shall offer both the Plaintiff and the Defendant the option of suing The REPUBLIC for dereliction of duty. This does not, however, release the Defendant from the original claim brought against him by the Plaintiff.

#### Article 20

In all criminal prosecutions, the accused, duly submitting to the court, shall have the right to a speedy trial and to be confronted with the witnesses against him; to have compulsory process for obtaining witnesses in his favour, at the expense of the Government; and, to have the assistance of counsel for his defense, who, if the accused is unable to obtain the same by his own efforts or through his own funds, shall be assigned and provided to the accused by the court.

#### Article 21

No person, accused of and arrested for a crime, shall be presumed guilty until so proved.

#### Article 22

Punishment is personal. No one shall be punished except in accordance with the law and after conviction of an offence committed by him.

#### Article 23

No one shall be punished for any offence which has not been declared by law to be punishable before the commission of such offence, or shall suffer any punishment greater than that which was provided by the law in force at the time of the commission of the offence.

#### Article 24

No one shall be punished twice for the same offence.

#### Article 25

No one shall be subjected to cruel and inhumane punishment.

#### Article 26

No one shall be imprisoned for debt, except in case of legally proved fraud, or, of refusal, either, to pay moneys or property adjudged by the court to have been taken in violation of the law, or to pay a fine, or to fulfil legal obligations of maintenance. This provision shall not have the effect of releasing the debtor from his obligations.

#### Article 27

No **Sentence of Death** shall be executed upon anyone found guilty by any Court, of committing a Capital offence. Such a person shall be sentenced to “**Life-Imprisonment-without-Parole**”, except so granted by the Prime Minister, and in any case, not until after thirty (30) years of the sentence have been served.

#### Article 28

Confiscation of property as a penalty shall not be imposed except in cases of treason, as defined by law, against the Prime Minister or the country. Sequestration of property as a penalty shall not be imposed except in cases of property belonging to persons residing abroad and conspiring against or engaging in deliberately hostile acts, as defined by law, against the Prime Minister or the country. Attachment proceedings covering the whole or part of the property of a person, made under judicial authority, to cover payment of civil liability, or liability arising out of the commission of an offence, or to meet taxes or fines, shall not be deemed a confiscation of property.

#### Article 29

Every citizen and all private domiciles shall be exempt from arbitrary searches.

#### Article 30

- (a) Any person, natural or juridical, may bring suit, in the courts of Jamaica, against the Government, or any Ministry, Department, Agency, instrumentality or official thereof, for wrongful acts resulting in substantial damage. In the event that the courts shall find that such suit has been brought maliciously or without foundation, the Government, or any Ministry, Department, Agency, instrumentality or official thereof, against whom or which, such suit was brought, shall have a right of action against such person for such

malicious or unfounded suit, and the court shall, in such case decree remedies or penalties according to the law.

(b) Any ten percent (10%) of eligible voters; (i) in the Country, in respect of the Prime Minister and the Deputy Prime Minister, or (ii) in their respective County or Constituency, as the case may be, in respect of Senators and Representatives of the People (RP); may collectively sign a Petition to impeach and remove from office without having to wait for the next General Election, either the Prime Minister, Deputy Prime Minister, Senators or Representatives of the People (RP). In such cases, the first twenty signees shall be deemed the Principal Petitioners and will be liable, should their Petition fail, to pay all related costs and be also eligible to be collectively countersued.

(c) In accordance with **Article 30 (b)**:

- (i) every such Petition shall be heard in The Supreme Court of Jamaica, which must give Its decision within ninety (90) days of receiving said Petition.
- (ii) any qualified citizen of the Country may stand as a candidate in an election to determine a replacement for Prime Minister, Deputy Prime Minister, Senator or a Representative of the People (RP) so removed.
- (iii) any Prime Minister, Deputy Prime Minister, Senator or Representative of the People (RP) so removed, shall not stand as a candidate in an election to determine his replacement, nor shall he stand as a candidate for Prime Minister, Deputy Prime Minister, Senator or Representative of the People (RP) in the Constitutionally due election for any of these Offices that immediately follows his removal.
- (iv) Elected Officials so removed shall not be appointed in any capacity to any Government Ministry, Department, Agency or Board of Directors for at least four years from the date of his removal.
- (v) Elected Officials thus challenged, shall continue in office until removed by The Supreme Court, as the case may be.

#### Article 31

Everyone in the country shall have the right to present petitions to the Prime Minister.

#### Article 32

- (a) Everyone in the Country has the duty to respect and obey the Constitution, the laws, decrees, orders, and regulations of the country.

- (b) Jamaican citizens, in addition, owe loyalty to the Prime Minister and to the Country, and have the duty of defending the Prime Minister and the Country against all enemies, foreign and domicile; to perform public services, including military services, when called upon to do so; and to exercise the right of suffrage which is conferred upon them by this Constitution.
- (c) Notwithstanding the provisions of **Article 3**, only Jamaican nationals, who were born in Jamaica, may stand as a candidate in any election for Prime Minister, Deputy Prime Minister, Senator or Representative of the People (RP).

**CHAPTER 2**  
**The Ministers of Government and their Rights and Duties**  
(Articles 33 – 43)

Article 33

- (a) **THE SOVEREIGNTY** of the Country, vested in **THE CITIZENS OF JAMAICA**, is upheld by the duly elected **PRIME MINISTER, he being the Head of State of the Country**. Therefore; the Person of the Prime Minister is sacred and The Office of The Prime Minister is inviolable. Anyone, so bold as to seek to injure the Prime Minister or to demean The Office of The Prime Minister, shall be punished in accordance with the law.
- (b) **The PRIME MINISTER, as the Head of State**, is elected by citizens in **General Elections** held on the third (3<sup>rd</sup>) Thursday in February ever four years beginning 2024. **Nomination Day** shall be conducted on the second (2<sup>nd</sup>) Thursday in January, immediately preceding such elections. Nevertheless, the fixed-election dates stated in **Articles 33 (b), 34 (a), 47 (b), 48 (b) and 48 (c)** may be postponed; (i) by a majority vote of two-thirds (2/3) of the membership of each House of Parliament, sitting separately; (ii) for no longer than two hundred and seventy (270) days.
- (c) In accordance with **Article 30 (b)** of this Constitution, any ten percent (10%) of eligible voters in the Country, may collectively sign a Petition to impeach and remove The Prime Minister from office without having to wait for the next General Election. The Prime Minister shall have the right to legal defense, which, if successful, may himself bring suit against his accusers.
- (d) Any qualified citizen, having attained the age of forty (40) years, may stand as a candidate in any election for The Office of Prime Minister.
- (e) The Prime Minister shall be in charge of the Ministry of The Office of The Prime Minister that shall include the Deputy Prime Minister. Term limit shall be four years, and



there shall be no limit, consecutive or otherwise for which a citizen may be elected Prime Minister.

- (f) The Prime Minister shall, with or without the advice and or consent of anyone else, appoint the Ministers and the Deputy Ministers of the nine other ministries that form the Council of Ministers, from among the entire Citizenry of the Country, excepting that, the Minister of Finance shall be a Member of the House of Representatives. These persons, so appointed, should be known to be of the highest character; possess the requisite technical capacity for the proper execution of their respective Ministry and; shall reside in the Country for the duration of their appointment and up to two years thereafter.
- (g) In accordance with **Article 33 (f)**, no more than four Members of the House of Representatives and two Senators shall be appointed Minister and, no more than four Members of the House of Representatives and two Senators shall be appointed Deputy Minister. Representatives of the People (RPs) and Senators who are appointed to The Council of Ministers shall not be appointed to any Committee of Parliament.
- (h) The Prime Minister reserves the right, with the advice and consent of Parliament; to declare war; to declare a state of siege, martial law, or a national emergency and; to take such measures as are necessary to meet a threat to the defense or integrity of the Country and, to ensure its defense and integrity.
- (i) He further, reserves the right to decide to what extent the Jamaica Security Force (JSF) shall be maintained, both in time of peace and in time of war. As Commander-in-Chief of the JSF, he has the right to organize and command the said Force; to commission and to confer military rank upon the officers of the said Force; and to promote, transfer or dismiss any of the said officers.
- (j) The Prime Minister shall take the following oath of Office before beginning duties thereof, said oath to be administered by the Chief Justice of The Supreme Court of Jamaica:

“In the name of ALMIGHTY GOD, I, ....., hereby swear that, as Prime Minister of Jamaica, I will uphold and defend the Constitution of the Country; that I will govern our citizens with patience and devotion to their general welfare in accordance with the Constitution and the laws; that I will faithfully defend, with all the means in my power, the integrity and territory of our country; that I will faithfully see to the impartial execution of all laws approved by Parliament and proclaimed by me; that I will ever promote the spiritual and material advancement of our citizens; and that, with the aid of The ALMIGHTY, I will faithfully execute the promises which I have here undertaken. So, help me GOD.”

Article 34

- (a) **The DEPUTY PRIME MINISTER**, elected by citizens in **General Elections** held on the third (3<sup>rd</sup>) Thursday in February every four years beginning 2024, assists the Prime Minister in his duties and, in the event of the death or incapacitation of the Prime Minister, immediately assumes the Office of Prime Minister and become Head of State of Jamaica. **Nomination Day** shall be conducted on the second (2<sup>nd</sup>) Thursday in January, immediately preceding such elections.
  
- (b) In accordance with **Article 30 (b)** of this Constitution, any ten percent (10%) of eligible voters in the Country, may collectively sign a Petition to impeach and remove the Deputy Prime Minister from office without having to wait for the next General Election. He shall have the right to legal defense, which, if successful, may himself bring suit against his accusers.
  
- (c) Any qualified citizen, having attained the age of forty (40) years, may stand as a candidate in any election for the Office of Deputy Prime Minister.
  
- (d) Term limit shall be four years, and there shall be no limit, consecutive or otherwise for which a citizen may be elected Deputy Prime Minister.
  
- (e) The Deputy Prime Minister shall take the following oath of Office before beginning duties thereof, said oath to be administered by the Chief Justice of The Supreme Court of Jamaica:  

“In the name of ALMIGHTY GOD, I, ....., do hereby swear that, as Deputy Prime Minister of Jamaica, I will faithfully observe all the precepts and directions of Prime Minister .....and will ever strive to respect his wishes and seek not after that which is not given me; that, I will ever conduct myself so as to be worthy of the trust placed in me by virtue of being elected by my fellow-citizens; that, I will at all times respect the Constitution and the laws; and that, with the help of The ALMIGHTY, I will faithfully execute the promises which I have here undertaken. So, help me GOD.”

Article 35

**THE COUNCIL OF MINISTERS**

- (a) Shall consist of ten (10) Ministers and ten (10) Deputy Ministers, including the Prime Minister and the Deputy Prime Minister.
  
- (b) The other nine (9) Ministers and their Deputies shall be appointed by the Prime Minister, with or without the advice and or consent of anyone else, from among the entire Citizenry of the Country, with the exception of the Minister of Finance who shall be a Member of the House of Representatives. They shall be persons who are known to be of the highest character; possess the requisite technical capacity for the proper execution of their

respective Ministry; and shall reside in the Country for the duration of their appointment and up to two years thereafter. Their appointment shall last for four years, after which they may be reappointed.

- (c) Every Minister or Deputy Minister, so appointed, may be removed from office by,
- (i) The Prime Minister, or,
  - (ii) The Supreme Court of Jamaica, after it upholds a Petition, signed by a majority of the members of The Senate and of the House of Representatives that states grounds for his removal. The first ten signees to every such Petition, shall be deemed the Principal Petitioners and will be liable, should their Petition fail, to pay all related costs and be also eligible to be collectively countersued if such Petition proves to be slanderous.
  - (iii) Ministers or Deputy Ministers whose appointment is thus challenged, shall continue in office until removed by The Supreme Court, as the case may be.
  - (iv) The Supreme Court must give Its decision within ninety (90) days of receiving said Petition.

(d) **THE TEN MINISTRIES** are as follows:

**1. MINISTRY OF NATIONAL SECURITY AND DEFENCE**

- (a) (i) Shall include The Jamaica Security Force (JSF) that is a combination of the former Jamaica Constabulary Force and the former Jamaica Defense Force. Its members shall be trained in the Laws of THE REPUBLIC to the equivalent standard set for Lawyers who are authorized to represent the rights of citizens in the Courts of the Country.
- (ii) The JSF shall have two components; a Military Department and a Citizens' Services Department. The Head of each Department shall have an appropriate rank and be answerable to the Joint Commander, who shall himself be answerable to the Prime Minister.
- (iii) The Military Department shall bear arms and have the following Units: Infantry, Calvary, Coast Guard, Air-wing, Special Detections, and Road Traffic Monitoring.
- (iv) The Citizens' Services Department shall consist of the following Units: Community Peace Officers, Prison Wardens and Immigration Officers. They shall not bear arms.
- (vi) Members of the JSF shall be known as SOLDIERS and, shall be trained in all aspects of its operations and be deployed in the various Units as is necessary and according to their individual ability.

- (b) This Ministry shall develop and propose Laws to Parliament that shall have the effect of creating and maintaining a Peaceful and Just Society.

**2. MINISTRY OF EDUCATION, CULTURE, YOUTH AND SPORT**

- (a) Shall be responsible to educate youth to be able to attain jobs created in the Ministry of Social Security.

- (b) Education shall be compulsory and free up to the secondary level.

- (c) Education shall include teaching students;

- (i) Respect,

- (ii) Communal Responsibility,

- (iii) the contents of this Constitution,

- (iv) the history of our National Heroes and Freedom Fighters, and

- (v) our efforts to gain Independence.

**3. MINISTRY OF HEALTH AND THE ENVIRONMENT**

- (a) This ministry includes sanitation in its portfolio and shall develop and maintain practical recycling processes.

- (b) Shall conduct a thorough investigation into the medicinal properties of all plants in the country, especially those that have traditionally been used in Folk Medicine, with the aim of utilizing their benefits.

- (c) Shall endeavor to provide the highest attainable standard of Health Care, which shall, as far as is possible, be free, first of all, to children and senior citizens and then, to other adults.

**4. MINISTRY OF FINANCE**

- (a) shall determine fiscal policy; growth; and include all revenue earning agencies of Government.

**5. MINISTRY OF FOREIGN AFFAIRS**

- (a) Shall negotiate interaction between, and, or among, Jamaica and other nations.

**6. MINISTRY OF TRADE AND INDUSTRY**

- (a) ALL INDUSTRIES shall be managed by this Ministry (for example the industries of Agriculture, Entertainment, Fisheries and Tourism).

- (b) It shall develop and maintain the Industry of Renewable Energy.

**7. MINISTRY OF JOB CREATION AND SOCIAL SECURITY**

- (a) The focus of this ministry is prioritizing job creation; management; emphasizing workplace harmony; devising and implementing policies to ensure Senior Citizens' welfare, including free healthcare for unemployed Seniors.

#### **8. MINISTRY OF TRANSPORT AND WORKS**

(a) The mandate of this ministry is:

- to create and maintain a comfortable and efficient public transport system that will contribute to growth through increased productivity;
- ensure a safe, secure and properly supervised school bus system and provide free public transportation for Senior Citizens;
- construct and maintain roads as are necessary.

(b) The National Works Agency (NWA) is located within this ministry.

#### **9. MINISTRY OF LAND, WOOD, WATER, HOUSING AND INFRASTRUCTURE**

The purpose of this ministry is

- (i) to present and maintain a land policy that will eliminate "squatting" by offering land and housing solutions, impartially at an affordable cost, to citizens;
- (ii) infrastructural developments unrelated to transport;
- (iii) water distribution; and
- (iv) Forestry and Land Preservation and Development; including the development and maintenance of State-owned farms and factories.

#### **10. THE OFFICE OF THE PRIME MINISTER** shall oversee all ministries.

##### Article 36

- (a) **GOVERNMENT AGENCIES** shall be supervised by the respective Ministers with their Officers subject to impeachment, punishment and dismissal.
- (b) Members of the same family who share the relationship of husband and wife, or parent and child, or siblings, or uncle and niece or nephew, or aunt and niece or nephew, or cousins up to and including the third generation, shall not be appointed to the same Board of Directors of any Government Agency or Ministry, including the Council of Ministers.

##### Article 37

Each Minister shall be individually responsible to the Prime Minister and to the Country for the discharge of the duties of his respective Ministry, including the execution of the laws and decrees concerning that Ministry.

##### Article 38

The Ministers shall form collectively **THE COUNCIL OF MINISTERS** and shall be responsible to the Prime Minister for all advice and recommendations given to him in Council. The rules of procedure of the Council shall be drawn up by the Ministers in Council and submitted to the Prime Minister for approval.

#### Article 39

- (a) The Prime Minister shall present to Parliament, proposals of legislation made by the Council of Ministers that are approved by him.
- (b) He shall have the right to attend any meeting of either the House of Representatives, the Senate or any joint sitting of both Houses; and to speak at such meetings on any question under discussion.
- (c) He shall be obliged to attend personally, or by his Deputy, either House, when his presence is requested by a majority vote of the members thereof and to answer, verbally or in writing, questions concerning his Office.

#### Article 40

- (a) The Ministers shall have the right to attend any meeting of either House of Parliament, or any joint meeting of the Houses, or any meeting of any committee of either House, and to speak at such meetings on any question concerning conduct of their Ministries.
- (b) They shall be obliged, in person or by their Deputies, to answer, verbally or in writing, questions concerning the legislation to be enacted.

#### Article 41

No Minister, nor any person in a position with or in the service of the Government may:

- (a) for remuneration, compensation or benefit of financial value, engage in any activity or accept a position in or with any enterprise or organization in which there is no Governmental participation;
- (b) enter into or be a party to any contract or other arrangement with any Governmental organization in the country awarding, permitting or recognizing any concession or monopolistic or other exclusive privilege in the nature of a concession or monopoly.
- (c) However, such Minister, Elected Official or person shall be free to manage and develop his properties so long as their management or development is not prejudicial to or inconsistent with the performance of his duties.
- (d) Notwithstanding the provision in **Article 41 (c)** such Minister, Elected Official or person shall, as a mark of respect and loyalty to the REPUBLIC, not engage in any financial activities that could be considered tax avoidance and or tax evasion.

Article 42

- (a) In the event of charges of any offence committed in connection with their official functions, Ministers and Deputy Ministers, shall only be tried in The Supreme Court of Jamaica. Such prosecution may be initiated either by order of the Prime Minister or by a majority vote of each House of Parliament sitting separately. A general prosecutor shall be appointed to that end, conformably by the order of the Chief Justice.
- (b) In respect of charges of any offence committed by them in their capacity as private citizens, such Ministers and Deputy Ministers, shall be subject to the ordinary law of the country.

Article 43

**THE ATTORNEY GENERAL**

- (a) shall be responsible to advise the Government on the interpretation of constitutional matters, especially regarding the constitutionality of proposed legislation. He shall have prescribed minimum qualifications and be appointed by the Prime Minister after being nominated by the Chief Justice and vetted by Parliament.
- (b) He shall neither be a Member of the Council of Ministers nor a Member of Parliament.

**CHAPTER 3**

**The Legislative Chambers**

(Articles 44 – 63)

Article 44

**THE PARLIAMENT** shall be comprised of a House of Representatives and a Senate.

- (a) No one shall be simultaneously a member of both the House of Representatives and the Senate.
- (b) The two Houses shall meet together; at the beginning and at the end of each session; when called upon by the Prime Minister to do so; and, upon such occasions as may be determined by the Houses.
- (c) The President of the Senate shall preside at all joint meetings of the Houses.

Article 45

- (a) The regular sessions of Parliament shall convene each year on the second (2<sup>nd</sup>) day of March and shall continue to the first (1<sup>st</sup>) day of the month of October.

- (b) Citizens elected in accordance with **Articles 33 (b), 34 (a), 47 (b), 48 (b) and 48 (c)** shall take their respective Oath of Office before the Chief Justice on the first (1<sup>st</sup>) day of March immediately following such election.
- (c) Citizens elected through a By-Election shall take their respective Oath of Office before the Chief Justice within seven (7) days immediately following such election.

#### Article 46

- (a) **The SPEAKER OF THE HOUSE OF REPRESENTATIVES** shall be a member of that House, who is elected by a majority vote of its Members. He shall immediately become Deputy Prime Minister in the event of the death or incapacitation of either the Prime Minister or the Deputy Prime Minister.
- (b) Notwithstanding the provision made in **Article 34 (c)**, in the event that The Speaker of the House of Representatives has not attained the stipulated age, yet is called upon to fulfill any vacancy created by the death or incapacitation of either the Prime Minister or the Deputy Prime Minister, he shall be allowed to do so but only up until the end of the current term in effect.
- (c) If the Deputy Prime Minister, who has been elevated to Prime Minister, dies or is incapacitated after becoming Prime Minister, an election shall be held to determine a replacement for Prime Minister. No Speaker of the House of Representatives, elevated to become Deputy Prime Minister, shall become Prime Minister, due to the death or incapacitation of a Deputy Prime Minister who was elevated to become Prime Minister.

#### Article 47

- (a) **The SENATE** shall consist of forty-three (43) Senators, drawn from across the three Counties. The number of Senators in each County shall, as far as is possible, be apportioned equal to the percentage of voters in the country that reside in that County, providing that there are, at least, two (2) Senators for each parish.
- (b) Senators shall be elected by citizens in **General Elections**, held on the third (3<sup>rd</sup>) Thursday in February every four years beginning 2024. **Nomination Day** shall be conducted on the second (2<sup>nd</sup>) Thursday in January, immediately preceding such elections.
- (c) In accordance with **Article 30 (b)** of this Constitution, any ten percent (10%) of eligible voters in the respective County, may collectively sign a Petition to impeach and remove a Senator from office without having to wait for the next General Elections. He shall have the right to legal defense, which, if successful, may himself bring suit against his accusers.



- (d) Any qualified citizen, having attained the age of fifty-five years, may stand as a candidate in any election for Senator, providing he has been domiciled in the County he seeks to represent, for at least five years immediately prior to the date of the election.
- (e) Senators shall deliberate and approve any Bill sent from The House of Representatives for ratification, before such Bill can become law.
- (f) In accordance with **Article 84 (b) (i)**, Senators shall elect from among themselves, two members to the Policy-making Arm of the Municipal Council for each parish in their County, one of whom shall be the Chairman.

#### Article 48

- (a) **The HOUSE OF REPRESENTATIVES** shall consist of one hundred and twenty-five (125) Representatives of the People (RP), six of whom shall be exclusively drawn from the Maroon Community, as stated in **Article 12 (f)**. The remaining one hundred and nineteen (119) RPs shall be drawn from across the remainder of the fourteen parishes, each representing a properly defined geographical constituency that shall, as far as is possible, contain, in each parish, an equal number of voters in relation to the total number of voters therein.
- (b) Representatives of the People shall be elected by citizens in **General Elections**, held on the third (3rd) Thursday in February every four years beginning 2026. **Nomination Day** shall be conducted on the second (2<sup>nd</sup>) Thursday in January, immediately preceding such elections.
- (c) Notwithstanding the provisions made in **Article 48 (b)**, the **INITIAL General Elections for Representatives of the People**, shall be held on Thursday, February 15, 2024, for which **Nomination Day** shall be conducted on Thursday, January 11, 2024.
- (d) Vacancies that may occur in the membership of the House of Representatives shall be filled as provided in the Electoral Law.
- (e) In accordance with **Article 30 (b)** of this Constitution, any ten percent (10%) of eligible voters in the constituency, may collectively sign a Petition to impeach and remove a Representative of the People (RP) from office without having to wait for the next General Election. He shall have the right to legal defense, which, if successful, may himself bring suit against his accusers.
- (f) Any qualified citizen, having attained the age of twenty-five years, may stand as a candidate in any Election for Representative of the People (RP), providing they have

been domiciled in the constituency they seek to represent for at least three years immediately prior to the date of the election.

- (g) They shall deliberate and approve Bills to be made law that are then sent to the Senate for ratification.
- (h) Representatives of the People (RP) shall be limited to,
  - (i) passing laws;
  - (ii) vetting nominees for important public service posts;
  - (iii) being eligible to be nominated to the Council of Ministers;
  - (iv) overseeing Government's operations; and
  - (v) executing proper administration and development of their respective constituencies and  
its people; they shall be part of the Policy-making Arm of the Municipal Council for their parish, in accordance with **Article 84 (b) (i)**, with one serving as Vice-Chairman.

#### Article 49

- (a) No meeting of either the House of Representatives or the Senate shall be closed to the public except upon a request by the Prime Minister, or upon the decision by a majority vote of either House, as the case may be, to that effect.
- (b) No joint meeting of both Houses shall be closed to the public except upon a request by the Prime Minister, or a decision by a majority of each of the Houses, to that effect.
- (c) If, after a question has been declared to be secret, a member of either House makes it known to the public, either in a speech, or by the press, or by writing, or in any other way, he shall be punished according to the provisions of Penal Law.

#### Article 50

- (a) A majority of two-thirds of the members of either Houses is required for them to begin deliberations, or to continue deliberations, or to take any vote on any succeeding day of any session.
- (b) At a joint meeting of the Houses, the presence of a majority of the members of each House shall be required for deliberations and for voting.

#### Article 51

If the quorum of Representatives of the People (RP) and Senators, prescribed in **Article 50** is not present on the day designated for the convening of Parliament or if, thereafter, either of the Houses, or the Houses in joint meeting, cannot continue deliberations or vote for lack of the required attendance, the members present shall take such measures as may be authorized in the

rules of procedure of the respective House, to compel the attendance of a sufficient number of absent members.

#### Article 52

Every Representative of the People (RP) or Senator, before taking his seat in the House to which he has been elected, shall take, before the Prime Minister, or as directed by him, before the President of the House concerned, an oath of loyalty to the Country, its Citizens and, the Prime Minister and shall swear that he will obey the Constitution and the laws of the Country and will perform his duties conscientiously and without favour. This oath shall be administered by the Chief Justice.

#### Article 53

Each House shall determine its own rules of procedure and internal discipline.

#### Article 54

Representatives of the People (RP) and Senators shall receive salaries. Any law increasing the salaries of Members of Parliament shall be effective only from the date of the election of the next Parliament.

#### Article 55

- (a) No action or charge may be brought against any Member of Parliament, or against any Minister appearing by right or upon the invitation of either House, for words uttered or written statements submitted by him at any meeting of either House, or at any joint meeting of the Houses, or at any meeting of any committee of either House.
- (b) Nevertheless, every member of each House of Parliament shall be obliged to respect all rules of order, conduct and procedure adopted by such House for the transaction of its business and shall be subject to disciplinary action on the part of such House for violation of such rules.
- (c) No action or charge may be brought against any person or any newspaper for publication, by or under the authority of Parliament or of either House thereof, as the case may be, of any report, paper, votes or proceedings of Parliament or either House thereof, as the case may be.

#### Article 56

No member of Parliament, during a session thereof, may be arrested or detained or summoned to answer a criminal charge, unless the permission of the House of which he is a member be obtained, or he be arrested while caught in the act of committing a crime. A comparable immunity does not apply to civil cases.

#### Article 57

Laws may be proposed to either, or both Houses of Parliament:

- (a) by the Prime Minister, or
  
- (b) by ten or more members of either House of Parliament, except that every proposal involving an increase in Governmental expenditure or a new or increased tax shall first be presented to the House of Representatives.

#### Article 58

All matters in either House or in joint meeting of the Houses shall be determined by vote of the majority of the members present, except as provided in **Article 86** of this Constitution. In the event of an equal division of votes, the presiding officer shall have a casting vote.

#### Article 59

- (a) Every proposal of legislation, approved by one House of Parliament, shall be immediately forwarded through the President thereof to the other House. If it is approved by the other without amendments within a period of two months, it shall be promptly communicated through the President of the Senate to the Prime Minister and shall either be promulgated as law, or returned by the Prime Minister to the Houses with his observations thereon, or with a new proposal of legislation as provided in **Article 62**.
  
- (b) All laws duly approved by both Houses of Parliament shall be forwarded to the Prime Minister through the President of the Senate.
  
- (c) In the event that such law shall receive the approval and signature of the Prime Minister, it shall be published by the Office of the Prime Minister in the **Jamaica Gazette**, with the recital of the affixing of the Signature and the Great Seal of the Prime Minister.
  
- (d) All Prime Ministerial Decrees and all Ministerial Decrees and Orders shall be published in the **Jamaica Gazette**.

#### Article 60

If a proposal of legislation approved by one House, is not finally acted upon by the other within the aforesaid period of two months, the Houses shall meet together to discuss the said proposal. If the proposal is approved in the joint meeting, with or without amendments, within thirty days, it shall be communicated to the Prime Minister for action in accordance with **Article 59**.

#### Article 61

If, within the aforesaid period of two months, a proposal of legislation approved by one House, is approved by the other with amendments, the said proposal shall be returned to the first House for further consideration. If, upon such further consideration, it is approved within thirty days, by the first House, with the said amendments, it shall be communicated to the Prime Minister for action

in accordance with **Article 59**. If, within thirty days, the amendments are not accepted by the first House, the Houses shall, thereupon meet together to discuss the proposal. If, in such joint meeting, the proposal is approved, with or without amendments, within thirty days, it shall, thereupon, be communicated to the Prime Minister for action in accordance with **Article 59**.

#### Article 62

If a proposal of legislation approved by one of the Houses is rejected by the other within two months after its communication to it, as provided in **Article 59**, or if a proposal of legislation is not approved, with or without amendments, after discussion in a joint meeting, as provided in **Articles 60 and 61**, full reports on the situation shall be promptly communicated to the Prime Minister by the Presidents of both Houses of Parliament, and the Prime Minister may, thereupon, cause to be transmitted to both Houses of Parliament, his observations in regard to such reports and such proposal of legislation, or cause to be transmitted to the Houses, a proposal of legislation on the same subject.

#### Article 63

- (a) In case of emergency that arise when the Houses are not sitting, the Prime Minister may proclaim decrees consistent with the Constitution, which shall have the force of law upon publication in the **Jamaica Gazette**, pending a decision on the same by Parliament. To that end, the text or each such decree shall be transmitted for consideration by both Houses of Parliament at their first meeting following each such Proclamation.
- (b) In the event that Parliament shall disapprove any such decree, each such decree shall cease to have force and effect, upon the publication in the **Jamaica Gazette**, of such disapproval.

### **CHAPTER 4** **The Judicial Power** (Articles 64 – 72)

#### Article 64

- (a) **THE JUDICIAL POWER** shall be vested in the courts established by law and shall be exercised by the courts in accordance with the law and in the name of “THE CITIZENS OF JAMAICA”.
- (b) Except in situations declared in conformity with the provisions of **Article 33 (h)** of the present Constitution, no person, except those in active Jamaica Security Force service, may be subject to trial by military courts.

#### Article 65

- (a) **THE JUDGES** of every Court in the Country shall be independent in conducting trials and giving judgment in accordance with the law. In the administration of justice, they submit to no other authority than that of the law.
- (b) Judges shall be of the highest character and reputation and skilled in the law which they may be called upon to apply. Their nomination, appointment, promotion, removal, transfer and retirement shall be determined by special law governing the Judiciary.
- (c) Judges shall sit in public, except that in cases which might endanger public order or affect public morals, they may sit in camera.

#### Article 66

- (a) **THE CHIEF JUSTICE** shall be the President of the Supreme Court. He shall be in charge of all the Justices and Courts in the country. He shall be appointed by the Prime Minister after being nominated by the Judges of both the Supreme Court and the Court of Appeal and vetted by Parliament. This process should begin one year before any anticipated retirement of The Chief Justice.
- (b) The Office of the Chief Justice shall submit an annual budget to Parliament for approval.

#### Article 67

**THE CARIBBEAN COURT OF JUSTICE** (CCJ), situated in Port of Spain, Republic of Trinidad and Tobago, shall be the court of last resort in civil and criminal matters, and in cases involving fundamental rights, unless and until the citizens of Jamaica decide on a replacement, by a simple majority, in a referendum on that question.

#### Article 68

- (a) **THE SUPREME COURT**, as the highest court in Jamaica, shall be managed solely by the Office of the Chief Justice without interference from the Prime Minister or The Parliament.
- (b) It shall consist of fifty (50) Justices including the Chief Justice, five of whom must sit together to hear appeals in a Capital case, while three shall be required to sit together to hear appeals in other types of cases.
- (c) The Justices of The Supreme Court shall be appointed by the Prime Minister upon recommendation by the Chief Justice after being vetted by Parliament. A majority vote by the members thereof shall be sufficient to render a decision in any case heard by it.

- (d) Litigants may appeal to the Court of Appeal if they are not satisfied with any decision made by the Parish Courts, and, if not satisfied with the decision of the Court of Appeal, may appeal to The Supreme Court and, if not satisfied with the decision of the Supreme Court may appeal to The Caribbean Court of Justice (CCJ). The decision of the CCJ shall be final.
- (e) Notwithstanding the provisions of **Article 68 (d)**, Litigants may petition the Prime Minister, in accordance with **Article 31**, but only to reduce the sentence made by the Parish Court and upheld by the Court of Appeal or the Supreme Court or the CCJ as the case may be, except, in respect of a Capital offence as provided for in **Article 27**. The Prime Minister shall not reverse any other decision made by these Courts.

#### Article 69

- (a) The **COURT OF APPEAL** shall consist of forty (40) Justices, five of whom must sit together to hear appeals in a Capital case, while three shall be required to sit together to hear appeals in other types of cases. A majority vote by the members thereof shall be sufficient to render a decision in any case it hears.
- (b) One of these Justices shall be elected from among themselves to be the President of The Court of Appeal.
- (c) They shall be appointed by the Prime Minister upon recommendation by the Chief Justice.

#### Article 70

**A PARISH COURT** shall be established in each Parish.

#### Article 71

A **SENIOR PARISH JUDGE**, appointed by the Prime Minister upon recommendation by the Chief Justice after vetting by the Justices of The Court of Appeal, shall oversee the proper administration of the Courts, Judges and Notaries Public in his Parish.

#### Article 72

- (a) The Prime Minister shall appoint citizens to **The Office of NOTARY PUBLIC** in each Parish, on the recommendation of the Chief Justice, after nomination by the Senior Parish Judge. They shall report directly to the Senior Parish Judge. Their remuneration shall be determined by law.
- (b) They shall be citizens of the highest character and domicile in their respective Parish, consistently, for at least ten (10) years prior to being nominated.

- (c) They shall serve as the first level of contact by citizens with the justice system; in respect of signing referrals and instruments of identification for citizens, providing they have known such citizens for at least five (5) years and; in signing warrants requested by members of the Jamaica Security Force (JSF) for the arrest of citizens and for the lawful search of the property of citizens.
- (d) In keeping with the provision of **Article 19 (d)** Notaries Public may preside over Bail Hearings and the setting of Court date for new arrested citizens, charged in the Parish Courts with non-capital crimes.
- (e) The Senior Parish Judge shall appoint two Notaries Public to the Policy-making Arm of the Municipal Council for his parish in accordance with **Article 84 (b) (i)**.

**CHAPTER 5**  
**Finance**  
(Articles 73 – 81)

Article 73

No tax, duty, import or excise shall be imposed, increased, reduced or abolished, except by law. No exemption from payment of any tax, duty, import or excise imposed by law shall be granted, except as authorized by law.

Article 74

None of the public revenues shall be expended, except as authorized by law.

Article 75

- (a) The fiscal year shall be fixed by law.
- (b) The Council of Ministers shall, each year, with the approval of the Prime Minister, present to Parliament a draft of a law for the approval of the budget of the following year, which budget shall accompany the said draft of law.

Article 76

- (a) Each of the Houses of Parliament shall examine the said budget in detail and vote on it, item by item.
- (b) Parliament shall, under no circumstance, increase the total sum set down in the budget for expenditures. The allowance for unforeseen expenses in the said budget shall be fixed by Parliament.
- (c) Parliament shall complete the budget vote for submission to the Prime Minister, at least one month before the beginning of the new fiscal year.



#### Article 77

If the draft of law presented, as provided for in **Article 75**, has not been approved by Parliament and proclaimed by law before the beginning of the new fiscal year, the budget of the previous year shall continue in force until a new budget law has been proclaimed.

#### Article 78

If additional funds are urgently required in the course of the fiscal year, the Minister or Ministers concerned, shall present a supplementary budget to the Council of Ministers, who, with the approval of the Prime Minister, may present an appropriate draft of law to the House of Representatives.

#### Article 79

No loan or pledge, guaranty or collateral therefore, may be contracted for, within or without the Country, by any Governmental organization within or without the Country, except as authorized by a law duly adopted in accordance with the provisions of **Articles 59, 60, or 61** of the present Constitution.

#### Article 80

Within two (2) months after the end of every fiscal year, the Council of Ministers shall present to the Prime Minister and the Parliament a detailed report on the receipts and expenditures of the said year. The report shall be immediately referred to the Auditor General, who shall, within four (4) months, present his comments thereon to the Prime Minister and to Parliament.

#### Article 81

There shall be an **AUDITOR GENERAL** who shall be appointed by the Prime Minister. He shall be a person who is known to be of the highest character, as well as to possess the requisite technical capacity. His functions shall be defined by law: They shall include the auditing of the accounts of all Ministries, Departments and Agencies of the Government, and the making of periodic reports to the Prime Minister and to Parliament on the fiscal operations of the Government. The Auditor General shall, at all times, be entitled to have access to all books and records relating to the said accounts.

## **CHAPTER 6** **General Provisions** (Articles 82 – 85)

#### Article 82

The Flag of REPUBLIC JAMAICA consists of two diagonal bands of golden yellow that cross each other at their midpoint; two triangles of green, one above and the other below the

intersection of the two diagonal bands of golden yellow; and two triangles of black, one to the right and the other to the left of the intersection of the two diagonal bands of golden yellow; and, in such detail as determined by law.

#### Article 83

- (a) The Coat-of-Arms of REPUBLIC JAMAICA consists of the depiction of a Taino couple, the male holding a bow in his left hand and the female holding a basket of fruits (mainly pineapples) in her right hand, standing on a ribbon, upon which is written “ONE PEOPLE“ that is The Motto of the Country, with the male resting his right hand and the female resting her left hand on the central section that features the Doctor Bird, above and in-front of the Crocodile, on a golden-sunshine disk enclosed with a black circular rim on a green Cross with three stars, one each at the compass points of East, West and South and a golden Abeng that is situated at the North compass point, upon which is mounted a map of the country in silhouette.
- (b) The Abeng, a musical instrument of the Akan people of West Africa, several million of whom speak the Twi language in what is now southern and central Ghana and from where millions of our ancestors were captured and sold as slaves in the Western Hemisphere, is represented in the Coat-of-Arms, in honour of the African ancestry of the vast majority of our people. Additionally, the Maroons of Jamaica, of whom Queen Nana is Jamaica’s only National Heroine, have preserved the use of the Abeng to send messages over long distances.

#### Article 84

- (a) Subject to the conditions established by legislation duly adopted in accordance with the provisions of **Articles 59, 60, or 61** of the present Constitution, all towns shall be incorporated by Charters established in accordance with such legislation, and MUNICIPAL COUNCILS shall be established in each Parish.
- (b) **MUNICIPAL COUNCILS** shall have:
  - (i) a Policy-making Arm, consisting of two Senators of the County in which the parish is located, one of whom shall be the Chairman; all the Representatives of the People (RP) of the parish, one of whom shall be the Vice-Chairman; and two Notaries Public of the parish appointed by the Senior Parish Judge. They shall meet at least twice per month, and;
  - (ii) an Administrative Arm, consisting of a Manager, a Secretary, a Financial Comptroller and such technical personnel as may be needed, all of whom shall be hired and can be dismissed by majority vote of the Policy-makers. In the event of a tied vote, the Chairman shall have a casting vote.

- (c) The Manager shall, after consultation with the Financial Comptroller and the Secretary, submit a yearly budget of expenditure that shall not exceed seventy percent (70%) of revenue expected from Property Taxes for the parish, which is its main source of funding. The remaining thirty percent (30%) of revenue collected from said Property Taxes shall be remitted to the Ministry of Finance. Additional funding may be had from the Ministry of Finance with approval from the Prime Minister.
- (d) Municipal Councils shall, with the approval of the Prime Minister and Parliament, impose upon their citizens, other revenue earning Taxes, Levies and or Duties, including but not limited to Building Permits, Parking Permits, Market Fees and Burial Permits that are beneficial to the proper governance of the Municipality.
- (e) The Municipal Councils shall, within one (1) month after the end of every fiscal year, submit to the Prime Minister and the Parliament a detailed report on the receipts and expenditures of the said year. The report shall be immediately referred to the Auditor General, who shall, within four (4) months, present his comments thereon to the Prime Minister and to Parliament.

#### Article 85

- (a) **THE NATURAL RESOURCES** of, and in the subsoil of the Country, including those beneath its waters, are State Domain.
- (b) The natural resources in the waters, forests, land, air, lakes, rivers and ports of the Country are a sacred trust for the benefit of present and succeeding generations of the Jamaican People. The conservation of the said resources is essential for the preservation of the Country. The Government of REPUBLIC JAMAICA shall, accordingly, take all such measures as may be necessary and proper, in conformity with this Constitution, for the conservation of the said resources.
- (c) None of the said resources shall be exploited by any person, natural or juridical, in violation of the principles of conservation established by law.
- (d) All property not held and possessed in the name of any person, natural or juridical, including all land in escheat, and all abandoned properties, whether real or personal, as well as all products of the sub-soil, all forests and all grazing lands, water-courses, lakes and territorial waters, are State Domain.

### **CHAPTER 7** **Provision for Amendment** (Article 86)

#### Article 86

This **CONSTITUTION OF REPUBLIC JAMAICA** may be amended by an identic Joint Resolution adopted by three-fourths of the members of each House in two separate sessions of Parliament and proclaimed with the approval and authority of the Prime Minister.

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APPENDIX

to

**WE THE PEOPLE Proposed CONSTITUTION OF REPUBLIC JAMAICA**



**APPENDIX 1: Article 82**  
The Flag of REPUBLIC JAMAICA

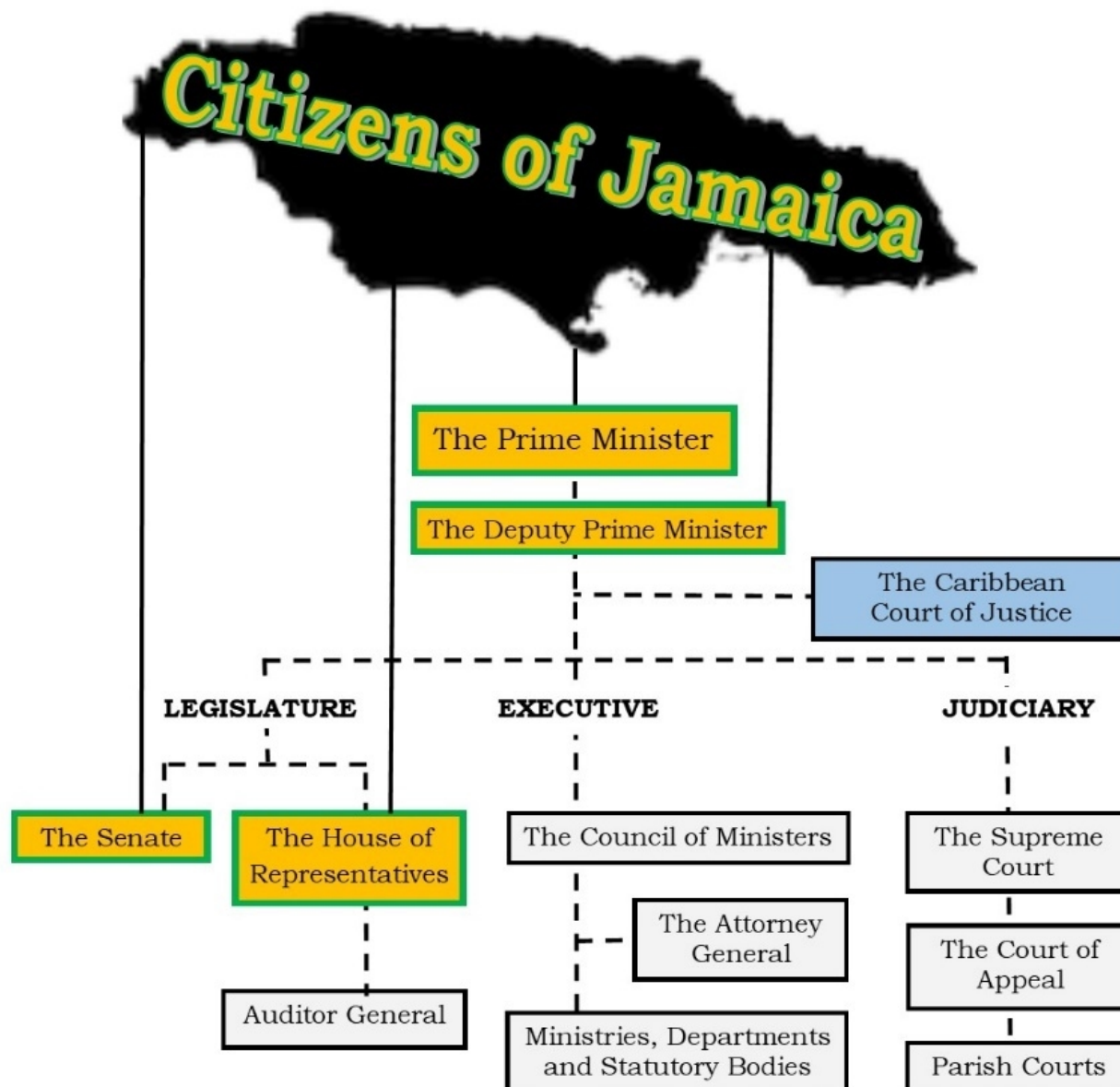


**APPENDIX 2: Article 35 (d) (1a)**  
- Insigna of JAMAICA SECURITY FORCE



**APPENDIX 3: Article 83**  
- The COAT-OF-ARMS of REPUBLIC JAMAICA

**REPUBLIC JAMAICA**  
**GOVERNMENT ORGANIZATIONAL CHART**







## Senators Distribution by County

Based on WE THE PEOPLE Proposed CONSTITUTION of Republic Jamaica  
Revised: May 1, 2023

### SENATORS

Article 47

- (a) **The SENATE** shall consist of forty-three (43) Senators, drawn from across the three Counties. The number of Senators in each County shall, as far as is possible, be apportioned equal to the percentage of voters in the country that reside in that County, providing that there are, at least, two (2) Senators for each parish.

**National Voters' List of November 30, 2022 = 2,001,759**

**Distribution of Senators** determined as follows:

Number of Voters in County / Total National Voters List x 100 = % of Voters

% of Voters x 43 / 100 = Number of Senators in County

#### **CORNWALL**

St. Elizabeth	123,112	
Westmoreland	114,175	
Hanover	59,344	
St. James	153,457	
Trelawny	61,327	
Total Voters =	511,415	= (25.55%) = 11 SENATORS

#### **MIDDLESEX (5 Parishes)**

St. Ann	141,318	
St. Mary	92,460	
St. Catherine	371,424	
Clarendon	183,149	
Manchester	134,814	
Total Voters =	923,165	= (46.12%) = 20 SENATORS

#### **SURREY (4 Parishes)**

Portland	62,168	
St. Thomas	73,796	
St. Andrew	358,499	
Kingston	72,716	
Total Voters =	567,179	= (28.33%) = 12 SENATORS
<b>Total =</b>	<b>2,001,759 VOTERS</b>	<b>43 SENATORS</b>








### ELECTED REPRESENTATIVES





	1962 Jamaica	The Proposed CRJ
SENATORS .....	21	43
Members of Parliament (MP)	63	0
Representatives of the People (RP) ....	0	125
PARISH COUNCILLORS	228	0
PRIME MINISTER .....	0	1
DEPUTY PRIME MINISTER	0	1
NOTARIES PUBLIC .....	0	28
TOTAL =	312	- 198 = 114 Less





# Sample Ballot Paper for Election February 15, 2024 Westmoreland South-Eastern





Based on WE THE PEOPLE Proposed CONSTITUTION of Republic Jamaica  
Revised: May 1, 2023





SAMPLE BALLOT PAPERS for ELECTION February 15, 2024  
for the Westmoreland South Eastern Constituency

Showing Candidates for three Political Parties whose Symbols are:     
and  
Four Independent Candidates whose Symbols are    

BALLOT PAPER for FEBRUARY 15, 2024 <b>Mark an X for ONE (1) Candidate only</b>			
#.....			
.....Cut.....Along.....This.....Line.....			
PRIME MINISTER OF JAMAICA			
#	Candidate Name	Symbol	X
1	<b>Blackwood, Dave Francis</b> Businessman 21 Fullers Drive, Falmouth, Trelawny		<input type="checkbox"/>
2	<b>Brown, Desmond Basil</b> Lawyer 17 Washington Lane, Kingston 3		<input type="checkbox"/>
3	<b>Marshall, Darlene Kacia</b> Accountant 4 Gully Side Drive, Montego Bay		<input type="checkbox"/>
4	<b>Sterling, Carlton Eric</b> Businessman 2 Hill Brook Run, St. Ann's Bay		<input type="checkbox"/>

BALLOT PAPER for FEBRUARY 15, 2024 <b>Mark an X for ONE (1) Candidate only</b>			
#.....			
.....Cut.....Along.....This.....Line.....			
DEPUTY PRIME MINISTER OF JAMAICA			
#	Candidate Name	Symbol	X
1	<b>Campbell, Daniel Valdrick</b> Lawyer 6 Goosebump Lane, Kingston 12		<input type="checkbox"/>
2	<b>Foxtrotter, Karl Theodore</b> Pharmacist Windsor District, St. Thomas		<input type="checkbox"/>
3	<b>Gordon, James John</b> Construction Engineer 56 Track Street, Montego Bay		<input type="checkbox"/>
4	<b>Higgins, Vaughn</b> Lawyer 9 Grace Way, Negril, Westmoreland		<input type="checkbox"/>

BALLOT PAPER for FEBRUARY 15, 2024 <b>Mark an X for ELEVEN (11) Candidates only</b>			
#.....			
.....Cut.....Along.....This.....Line.....			
SENATOR / CORNWALL COUNTY			
#	Candidate Name	Symbol	X
1	<b>Hamilton, Erick Karl</b> Farmer 2 Grove Road, Lucea, Hanover		<input type="checkbox"/>
2	<b>Harris, Lamar Bruce</b> Salesman 5 St. John Lane, Falmouth, Trelawny		<input type="checkbox"/>
3	<b>King, Lamar Anthony</b> Educator Grange Bump, St. Elizabeth		<input type="checkbox"/>
4	<b>Morris, Ericka Hazel</b> Hotelier 14 Victory Run Way, Montego Bay		<input type="checkbox"/>

BALLOT PAPER for FEBRUARY 15, 2024 <b>Mark an X for ONE (1) Candidate only</b>			
#.....			
.....Cut.....Along.....This.....Line.....			
REPRESENTATIVE OF THE PEOPLE WESTMORELAND SOUTH EASTERN			
#	Candidate Name	Symbol	X
1	<b>Jackker, John Jason</b> Mechanic 15 Hillrun Avenue, Whitehouse		<input type="checkbox"/>
2	<b>Linton, Marcia Mavis</b> Educator 3 Upton Road, Whitehouse		<input type="checkbox"/>
3	<b>Rowe, Everton Cecil</b> Journalist Top Brook, Beeston Spring		<input type="checkbox"/>
4	<b>Tavaris, Tamara Rosemarie</b> Businesswoman 2 Greenpiece Drive, Belmont		<input type="checkbox"/>