

## NOTICE TO THE PUBLIC

### EMERGENCY POWERS REVIEW TRIBUNAL 2022

1. On the 15<sup>th</sup> day of November, 2022 The Emergency Powers Review Tribunal (“*the Tribunal*”) was established pursuant to Regulation 38 of the Emergency Powers (Parishes of St. James, Westmoreland and Hanover) Regulations 2022 (“*the Regulations*”) after a Proclamation by His Excellency the Most Hon. Sir Patrick Allen, Governor-General of Jamaica, declaring a state of public emergency. These Regulations were enacted pursuant to The Emergency Powers Act (“*the Act*”).
2. Pursuant to the Constitution of Jamaica (“*the Constitution*”), the Act and Regulations, respectively, the following persons were appointed to the Tribunal: **Mr. Walter H. Scott, KC** Attorney-at-Law, Chairman (appointed on the 15<sup>th</sup> day of November, 2022 by the Honourable Mr. Justice Byran Sykes, OJ, CD Chief Justice of Jamaica), Dr. David Henry and Ms. Linda Wright (both appointed the 15<sup>th</sup> day of November 2022, by His Excellency the Most Hon. Sir Patrick Allen, Governor-General of Jamaica.).
3. The members of the Tribunal and officials from the Ministry of National Security have been working assiduously to implement the necessary administrative infrastructure and mechanism in order to facilitate the conduct of hearings by the Tribunal.
4. The Jurisdiction of the Tribunal covers matters mentioned in **Sections 13(9), 13(10) and 13(11)**, respectively, of the Constitution and in particular, the following Regulations:

**Regulations 22** – An order made by a member of the Jamaica Constabulary Force, not below the rank of Superintendent of Police or a member of the Jamaica Defence Force, not below the rank of Captain, restricting a person’s access to any area;

**Regulation 33** – Detention by a constable or a member of the Jamaica Defence Force;

**Regulation 38(9)** – Providing access to the Tribunal to persons detained or whose freedom of movement has been restricted.

5. The Tribunal will schedule for hearing only matters regarding the above-mentioned Regulations after formal objections have been filed (pursuant to **Regulations 38(9)** of the Regulations) by persons ("**Objectors**") against whom any of the above-mentioned orders have been made.
6. Objections should be in writing in the form ("**Notice of Objection**") provided and signed by the Objector, or by an Attorney-at-Law representing the said Objector. All objections must contain the full name of the Objector, his/her address, date and place of detention and the contact information of the objector's Attorney-at-Law, if one has been retained. A copy of the relevant order should also be submitted with the Notice of Objection. NB. The Notice of Objection Form can be downloaded from the Ministry of National Security's Website @ <http://www.mns.gov.jm>
7. Objections are to be submitted to the Chairman of the Tribunal and can be physically deposited to the Secretariat c/o the Ministry of National Security, in the drop box located on the First Floor (1st) NCB Towers, North Tower, 2 Oxford Road, Kingston 5 in the parish of St. Andrew. The Secretariat will be opened between 10:00am and 4:00 pm Monday to Friday each week.
8. The Tribunal will schedule a hearing for an Objector as soon as possible after receipt of the Objection.
9. Details of the Tribunal's Secretariat and the venue where hearings are to be held will be published as soon as they are finalized.
10. Pursuant to **Regulation 38(8)** of the Regulations the Tribunal will regulate its proceedings subject to **Sections 13(10) and 13(11)**, respectively, of the Constitution.
11. Regarding the proceedings of the Tribunal, procedural rules have been prepared as a guide to all concerned. **NB.** The said procedural rules can be

downloaded from the Ministry of National Security's website  
@<http://www.mns.gov.jm>

12. The Chairman of the Tribunal shall report to the Competent Authority its findings or ruling on each objection and may give directions to the said Competent Authority pursuant to **Section 13 (11)** of the Constitution and **Regulation 38(11)** of the Regulations, respectively.

13. Any questions may be directed to the Tribunal in writing at the above-mentioned address or email address.

2022 November 15