ELECTION CAMPAIGN FINANCING

Legislation & Regulations

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FOREWORD

The Electoral Commission of Jamaica is pleased to present Jamaica's Campaign Financing Legislation of 2016 with related Regulations of 2017.

This makes Jamaica the first country in the Caribbean to have implemented campaign finance legislation and has cemented its position as a leader in electoral reform. Jamaica remains a role model for the region and indeed the rest of the world.

This is indeed a major achievement for such a small country with limited resources and is another giant step that will significantly strengthen the electoral process. It will heighten local, regional and international confidence in us and will help to reduce the perception of corruption in elections and campaign expenditure, hence improving the credibility of our system and Jamaica as a stable business destination.

We believe that campaign financing reform is key to Jamaica’s Vision 2030 Goal of transparency and accountability in governance.

This legislation has not come easily. We have been working on this for over 11 years and despite the inevitable hurdles of such a significant initiative we have prevailed. This has only been possible through relentless efforts of countless people.

As such we must acknowledge the contribution of successive Governments and the numerous stakeholders over the years, including governmental institutions, associations, commissions, CAFFE, political parties, financial institutions, religious bodies and civil society and of course past and present members of the EAC and ECJ which has culminated in the enactment of this most important legislation with related regulations.

We have not only consulted within our borders but have for some time, actively sought input from the best electoral management minds around the world. As an example the EAC hosted a Conference on Political Party and Campaign Financing in 2006 with presentations by esteemed electoral professionals including:

Dr. Wolfgang Zeh - former Director of the German Parliament.
Mr. Jeffrey Carlson - International Foundation of Electoral Systems
Ms. Janice Venezia - Director of Electoral Financing, Elections Canada
This international interaction along with our local stakeholders has yielded a number of valuable insights which have helped inform this legislation.

This legislation, along with its Regulations, addresses the core issues related to Campaign Financing including disclosure, state funding, monitoring and enforcement. Additional issues such as sources of funding and permissible donors are also included.

Though we are extremely proud of the outcome, there is no perfect or permanent legislation that can be formulated. Whatever measures are put in place, it is likely that efforts will be made to circumvent them and to find loopholes, thus requiring new measures to be put in place subsequently. We thus consider this to be a living document which must evolve over time.

What is more important is that all stakeholders embrace, uphold and demand the enforcement of its provisions so that we as a nation may realize the true benefits within. Together let us lift the words from these pages and make them reality.

HONOURABLE DOROTHY PINE-MCLARTY O.J.
Chairman
Electoral Commission of Jamaica
REPRESENTATION OF THE PEOPLE (AMENDMENT) ACT, 2016

ELECTION CAMPAIGN FINANCING
JAMAICA

No. 10 - 2016

I assent,

[L.S.]

Sgd. P. L. Allen
Governor-General.

15th day of February 2016

AN ACT to Amend the Representation of the People Act.

[The date notified by the Minister
bringing the Act into operation]

BE IT ENACTED by The Queen’s Most Excellent Majesty, by and with the advice and consent of the Senate and House of Representatives of Jamaica, and by the authority of the same, as follows:—

1.—(1) This Act may be cited as the Representation of the People (Amendment) Act, 2016, and shall be read and construed as one with the Representation of the People Act (hereinafter referred to as the “principal Act”) and all amendments thereto.
(2) This Act shall come into operation on a day or days appointed by the Minister by notice published in the Gazette, and different days may be appointed in respect of different provisions of this Act.

2. Section 2(1) of the principal Act is amended, by—

(a) deleting the definition of ""contribution" or "donation"" and the definition of "political party subscription"; and

(b) inserting the following definitions in the appropriate alphabetical sequence—

"campaign" means the carrying out of political activities during a campaign period by—

(a) any individual or group acting in support of a registered political party;

(b) a registered political party on behalf of a candidate or anyone who is a member of the registered political party; or

(c) any individual operating as an independent candidate;

"campaign period" means, in relation to—

(a) a general election, the period—

(i) commencing on the earlier of—

(A) the day immediately following the last day of the period of fifty-four months from the commencement of the term of
office of the Government (or such other period as the Commission may, by order, subject to affirmative resolution, prescribe); or

(B) the day on which the date for an election is officially announced by or on behalf of the Prime Minister; and

(ii) ending twenty-four hours before the time fixed for the opening of the poll on election day;

(b) an election of membership to the Council of the Kingston and St. Andrew Corporation, a Parish Council or a Municipal Council, the period—

(i) commencing on the earlier of—

(A) the day immediately following the last day of the forty-fifth month of the
The Representation of the People (Amendment) Act, 2016

term of office of the Kingston and St. Andrew Corporation, Parish Council or Municipal Council (or such other period as the Commission may, by order, subject to affirmative resolution, prescribe); or

(B) the day on which the date for an election to the Councils is officially announced by the Governor-General in Council; and

(ii) ending twenty-four hours before the time fixed for the opening of the poll on election day; and

(c) a by-election of members to the House of Representatives or to the Council of the Kingston and St. Andrew
Corporation, a Parish Council or a Municipal Council, the period—

(i) commencing from the official announcement of the election; and

(ii) ending twenty-four hours before the time fixed for the opening of the poll on election day;

"contribution" means—

(a) for the purposes of Part VB—

(i) any gift of money, gift in kind or any other benefit which can be computed in terms of money, given to a registered political party or a member of a registered political party for the purpose of carrying out the activities of the registered political party; and

(ii) any political party subscription; and

(b) for the purposes of Part VC—

(i) a donation, that is made or provided to—

(A) a registered political party or a candidate;

(B) a group or an organization that is acting in
support of a registered political party or a candidate; or

(C) any other person or entity for the purpose of supporting or opposing the candidature of another person or for the purpose of influencing an election; and

(ii) any loan of funds for the purpose of supporting or opposing the candidature of another person or for the purpose of influencing an election;

“contributor” means a person who, or an entity that, makes a contribution;

“Director” means the Director of Elections appointed under section 7 of the Electoral Commission (Interim) Act;

“donation” means—

(a) any gift to a registered political party or a candidate that consists (whether in whole or in part) of money, property, services, facilities or equipment;
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(b) any sponsorship provided to or for the benefit of a candidate or a registered political party;

(c) money spent otherwise than by, or on behalf of, a registered political party or a candidate in paying any expenses incurred directly, or indirectly, by a registered political party or a candidate; or

(d) any subscription to a political party;

"reporting period" means the period commencing on the first day of a campaign period and ending one hundred and eighty-one days after the end of the campaign period;

"subscription" means any required dues, charge or other fee paid for affiliation to, or membership in, a political party;".

3. The proviso to section 17 of the principal Act is amended by deleting the words "less than five clear days before nomination day" and substituting therefor the words "during the period commencing five clear days before nomination day and ending on election day".

4. Section 23(5)(b) of the principal Act is amended by deleting the words "three thousand dollars in legal tender" and substituting therefor the words "fifteen thousand dollars in legal tender or such other sum as the Commission may, by order, subject to affirmative resolution, prescribe".

5. The principal Act is amended by inserting next after Part VB, the following as Part VC—

"PART VC—Political Campaign Financing

Interpretation of Part VC

52AM. In this Part—

"Fund" means the National Election Campaign Fund established by section 52AN;"
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"impermissible contributor" means a State, entity or person referred to in section 52AT (1).

National Election Campaign Fund

52AN.—(1) For the purposes of this Act, there is established a fund to be called the National Election Campaign Fund (hereinafter referred to as "the Fund").

(2) The Fund shall be held and applied for the purpose of—

(a) accepting and receiving contributions from—

(i) individuals;

(ii) companies and other entities;

(iii) Jamaican Diaspora groups;

(b) making contributions to candidates and registered political parties; and

(c) promoting the active participation of citizens in the electoral process.

Management of Fund.

52AO.—(1) Subject to the directions of the Commission, the Director shall be responsible for the management and administration of the Fund.

(2) Moneys in the Fund that are not immediately required for its purposes may be invested by the Commission as it thinks fit.

(3) All moneys forming part of the Fund shall, pending the investment or application thereof in accordance with the regulations, be paid or transferred into a bank in Jamaica.
52AP. The Fund shall consist of—

(a) moneys contributed to it by—

(i) individuals;

(ii) companies and other entities;

(iii) Jamaican Diaspora groups;

(b) interest and profits accruing from the investment of the moneys.

52AQ.—(1) The Director shall cause proper accounts of the Fund to be kept and shall prepare annually a statement of accounts in a form satisfactory to the Commission and conforming to generally accepted accounting principles in Jamaica.

(2) The accounts of the Fund shall be audited annually by an auditor appointed by the Commission.

(3) The Auditor-General shall be entitled at all times to examine the accounts of the Fund.

52AR.—(1) Subject to the provisions of this section, the moneys in the Fund shall be disbursed to candidates within one hundred and eighty days after an election is held, for the purposes of reimbursing expenses incurred by the candidates in their election campaigns.

(2) Subject to the provisions of this section, the total amount to be disbursed to a candidate shall be determined by applying the following formula—

\[
A - C \times B
\]
where—

A is the number of votes cast for that candidate in the election;

B is the total number of votes cast for all candidates in that constituency in the election;

C is the total amount allocated from the Fund to that constituency for the election, such allocation being on the basis that each constituency shall be allocated an equal amount.

(3) No moneys shall be disbursed to a candidate from the Fund unless—

(a) the Political Ombudsman certifies that the candidate is in compliance with the Political Code of Conduct for elections; and

(b) the candidate has complied with his obligations under this Part and section 60 to the satisfaction of the Commission.

(4) The total disbursement to a candidate who is qualified to receive moneys from the Fund together with any funding provided to the candidate pursuant to section 52BN shall not exceed forty percent of the lesser of—

(a) the total expenditure which that candidate was permitted to incur within the campaign period in accordance with section 52BI; or

(b) the actual expenditure incurred by the candidate within the campaign period, as reflected in the candidate’s election return made under section 60.
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(5) A candidate may, by notice in writing to the Commission, elect not to receive moneys from the Fund in respect of expenses he incurred during the campaign period.

(6) In subsection (3), “Political Ombudsman” means the Political Ombudsman appointed under section 4(2) of the Political Ombudsman (Interim) Act.

Contributions to Political Parties and Candidates

52A.S.—(1) Where a person, company or other entity makes a contribution to a registered political party or a candidate during the reporting period and, within two years before making the contribution, had entered into a Government contract having a contract value in excess of the prescribed value, the person, company or other entity shall declare the contribution to the Commission in the prescribed manner no later than fourteen days after making the contribution.

(2) Where a person, company or other entity makes a contribution to a registered political party or a candidate during the reporting period and, within two years after making the contribution, enters into a contract having a contract value in excess of the prescribed value, the person, company or other entity shall declare the contribution to the Commission in the prescribed manner within fourteen days after entering into the Government contract.

(3) For the purposes of this section, “prescribed value” means the amount of five hundred thousand dollars or such other amount as the Minister, on the recommendation of the Commission, may, by order subject to affirmative resolution, prescribe.
(4) A person who, or a company or an entity that, contravenes this section commits an offence and is liable on summary conviction in a Resident Magistrate's Court to a fine not exceeding one million dollars.

52AT.—(1) A registered political party or a candidate, shall not knowingly accept contributions during a reporting period from any of the following states, entities or persons, that is to say—

(a) any foreign or Commonwealth government, or any agent of such government, whether directly or indirectly;

(b) a public body as defined in section 2 of the Public Bodies Management and Accountability Act;

(c) an entity whose existence is or activities are illegal under any law;

(d) a person or an entity whose identity is not disclosed to the recipient of the contribution;

(e) a person or an entity who makes the contribution through an intermediary; and

(f) a person who, or an entity which, uses a false identity in making the contribution.

(2) A person shall not during a reporting period knowingly make a contribution to a registered political party or a candidate that includes a contribution from an impermissible contributor.
(3) A registered political party or a candidate who contravenes subsection (1), or a person who contravenes subsection (2), commits an offence and 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 twelve months.

52AU. For the purposes of any proceedings under this Part—

(a) subject to paragraph (c) any contribution that is received and retained by a registered political party or a candidate shall be deemed to have been accepted by that registered political party or candidate;

(b) subject to paragraph (c), a registered political party shall be deemed to have accepted a contribution that is received and retained by any person authorized to receive contributions on its behalf;

(c) a registered political party or a candidate shall be deemed not to have retained a contribution if, within thirty days after receiving the contribution, the registered political party or candidate returns the contribution to the contributor.

52AV.—(1) Where, during a reporting period, a registered political party or a candidate receives a contribution from an impermissible contributor, the registered political party or candidate, as the case may be, shall return the contribution to the contributor within thirty days after the date of receipt.
(2) For the purposes of subsection (1), where the identity of the contributor has not been disclosed and cannot be ascertained by the taking of reasonable measures, the registered political party or candidate, as the case may be, shall transmit the contribution to the Accountant-General for payment into the Consolidated Fund.

52AW. Where a contribution has been knowingly accepted by a registered political party or a candidate from an impermissible contributor and is not returned within the period indicated in section 52AU(c), the Commission may, in addition to any other penalty that may be imposed by the Commission in accordance with this Act or regulations made hereunder, seek an order from the Supreme Court for the forfeiture of property of a value equivalent to the value of the contribution.

52AX.—(1) A registered political party or a candidate shall obtain an invoice from each supplier of goods or services that are provided to the registered political party or candidate during a campaign period, and the invoice shall state the market value of the goods or services provided, regardless of who is liable for payment for the goods or services, and regardless of whether the goods or services were supplied free of charge.

(2) This section shall not apply to a supply of goods or services the market value of which is less than ten thousand dollars or such other sum as the Commission may, by order subject to affirmative resolution, prescribe.

52AY.—(1) The total amount of contributions made in a reporting period by any particular contributor—

(a) to or for the benefit of a candidate, shall not exceed an amount equal to ten
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percent of the aggregate limit of the campaign expenditure which the candidate is permitted to incur under section 52BI; or

(b) to or for the benefit of a registered political party, shall not exceed an amount equal to five percent of the aggregate limit of the campaign expenditure which the party is permitted to incur under section 52BH.

(2) For the purposes of subsection (1)(b), any contributions made by a particular contributor to or for the benefit of candidates shall be treated as being on account of the limit on his permitted contributions to the registered political party to which those candidates belong, so that the aggregate of his contributions to and for the benefit of candidates and his contributions to and for the benefit of the registered political party to which they belong shall not exceed the limit specified in subsection (1)(b).

52AZ. Any contribution that is made by a contributor during a reporting period, other than a contribution by an impermissible contributor or a contribution that exceeds either or both of the limits specified in section 52AY, shall be regarded as a tax deductible expense for the purposes of section 13 of the Income Tax Act.

52BA.—(1) Any contribution made to or for the benefit of a registered political party or a candidate by a contributor during a reporting period shall be accompanied by a declaration in the prescribed form stating—

(a) the full name, address and occupation or description of the contributor; and
(b) that the contributor is not an impermissible contributor under this Act.

(2) Where a declaration is received by or on behalf of a registered political party or a candidate under this section, it shall be retained for the purpose of submitting it to the Commission under section 52BJ or 52BP, as the case may require.

(3) Subject to subsection (4), this section shall not apply to any contribution in an amount, or having a market value, of less than two hundred and fifty thousand dollars or such other amount as the Commission may, by order, subject to affirmative resolution, prescribe.

(4) For the purposes of this section, where, during the reporting period, more than one contribution is made by a particular contributor to or for the benefit of a registered political party or a candidate which exceed in the aggregate the sum referred to in subsection (3), the declaration referred to in subsection (1) shall include all such contributions, even if any of those contributions is less than that sum.

(5) Any contributor who knowingly or recklessly makes a false declaration under subsection (1) commits an offence and 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 twelve months.

52BB. Any contribution that is accepted by or on behalf of a candidate during a reporting period shall be applied by the candidate for the purposes of the
candidate’s campaign activities, and shall not be used for any personal, family or business expenses.

52BC.—(1) Where, during a reporting period, a contribution of or exceeding two hundred and fifty thousand dollars (or such other amount as the Commission may, by order subject to affirmative resolution, prescribe) is accepted by or on behalf of a registered political party or a candidate, the registered political party or the candidate shall ensure that a receipt, in the form prescribed by the Commission, is issued for the contribution.

(2) For the purposes of this section, where during a reporting period more than one contribution is accepted from a contributor by or on behalf of a registered political party or a candidate which exceed in the aggregate the sum referred to in subsection (1), a receipt referred to in subsection (1) shall be required to be issued including each of those contributions, even if any of those contributions is less than that sum.

52BD. Where, during a report period, any property, services, facilities or equipment are provided to a registered political party or a candidate otherwise than on arm’s-length commercial terms, then for the purposes of applying any limit to the permitted amount of contributions or expenditure in this Part, the difference between the actual cost incurred by the registered political party or the candidate for the property, services, facilities or equipment, and the cost that would have been incurred in respect thereof had the property, services, facilities or equipment been supplied on arm’s-length commercial terms, shall be added to the actual cost incurred by the registered political party or the candidate for the property, services, facilities or equipment.
52BE. Where, during a reporting period, a contribution is made to or for the benefit of a registered political party or a candidate, the registered political party or candidate, as the case may be, shall cause to be taken, without delay, all reasonable measures to verify or ascertain—

(a) the identity of the contributor;
(b) whether the contributor is or is not an impermissible contributor; and
(c) in the case of a contributor other than an impermissible contributor, all such details in respect of the contributor as may be prescribed by the Commission to be received and given in respect of the contributor in the report referred to in section 52BP(1).

52BF. Within six weeks after an election every candidate who contested the election shall submit to the Director a declaration in the prescribed form stating that, to the best of the candidate’s knowledge and belief, no contribution from any impermissible contributor has been accepted by the candidate during the campaign period.

52BG. Upon a candidate complying with the requirements of sections 52BF and 60, the Director shall, not later than twenty-one days thereafter, issue a certificate stating that the candidate has complied with the campaign period reporting obligations under this Act.

52BH. Where a registered political party contests one or more constituencies in an election, the registered political party shall not incur expenditure on election expenses during the reporting period in
excess of the sum of six hundred and thirty million dollars or such other sum as the Commission may, by order subject to affirmative resolution, prescribe.

52BJ.—(1) Where at an election a candidate stands for election in any constituency, the candidate shall not incur expenditure on election expenses during the reporting period in excess of fifteen million dollars or such other sum as the Commission, may, by order subject to affirmative resolution, prescribe.

(2) The amount in subsection (1) shall be inclusive of any amount received by the candidate from any registered political party.

52BJ.—(1) Every registered political party shall submit to the Commission, a Campaign Period Expenditure Report in the prescribed form and manner within a period of one hundred and eighty days after the day of an election.

(2) A Campaign Period Expenditure Report shall include the following—

(a) a consolidated statement of all contributions received by it during the campaign period;

(b) an itemized statement of the values of all contributions, in cash or kind, of a value of, or exceeding two hundred and fifty thousand dollars (or such other sum as the Commission may, by order subject to affirmative resolution, prescribe) received during the campaign period, and stating the name, address and occupation
or description of the respective contributors who made those contributions;

(c) a consolidated total income and expenditure statement for the campaign period, categorizing expenditures in accordance with the categories shown in the registered political party's most recent financial report.

52BK. Where the report referred to in section 52BJ is not submitted by a registered political party to the Commission within the time and in the manner prescribed, the authorized representative of the registered political party, commits an offence and shall be liable on summary conviction in a Resident Magistrate’s Court to a fine not exceeding one million dollars.

52BL. Any person who, knowingly, makes a false statement in any report, declaration or other document required to be filed with the Commission or the Director under this Part, commits an offence and shall be liable on summary conviction in a Resident Magistrate’s Court to a fine not exceeding three million dollars or, in default of payment thereof, to a term of imprisonment not exceeding twelve months.

52BM.—(1) Subject to the provisions of this Act, the Commission may require a disclosure in relation to any matter under this Part from—

(a) the authorized representative of a registered political party;

(b) any contributor who made a contribution during a reporting period;

(c) any candidate at an election; or

(d) the election agent of the candidate.

(2) For the purposes of this section, the Commission may serve a disclosure notice on a person specified in subsection (1) (a), (b), (c) or (d).
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(3) A disclosure notice under this section is a notice requiring the person on whom it is served to produce for inspection by the Commission or its agents so authorized, within the period specified in the notice (being a period of not less than thirty days), any document which—

(a) relates to the income and expenditure of the registered political party, or any of its affiliated organizations, for any of its five most recent financial years, as may be reasonably required by the Commission for the purpose of carrying out its auditing functions; or

(b) may provide the Commission, or its agents, with any information or explanation which relates to the income and expenditure of the registered political party, or any of its affiliated organizations, for any of its five most recent financial years, as may be reasonably required by the Commission for purposes of identifying sources of campaign financing.

(4) Every person on whom a disclosure notice is served shall comply with such notice within the time specified in the notice.

52BN.—(1) The Government may, where moneys have been appropriated for this purpose in the approved Estimates of Expenditure for the current financial year, provide funding for the reimbursement of election expenses incurred by—

(a) the candidates of a registered political party which meets the requirements of section 12 and Part VB; and
(b) an independent candidate, who has received at least five percent of the votes cast in the election.

(2) Funding under subsection (1) shall be disbursed to a candidate, upon certification by—

(a) the Director, that the candidate is in compliance with the provisions of this Part, and

(b) the Political Ombudsman, that the candidate is in compliance with the Political Code of Conduct for elections.

(3) A candidate may elect, by notice in writing to the Commission, not to receive funding under this section.

(4) A candidate shall not receive funding under this section in excess of an amount exceeding forty percent of that candidate's total election expenditure as reflected in the candidate’s Final Disclosure Report made under section 52BP.

(5) Subject to subsections (3) and (4), funding provided by the Government under subsection (1), shall be disbursed to a candidate on the basis of the votes cast for that candidate, and shall be determined by applying the following formula—

\[ A - x \cdot C \]

\[ B \]

where—

A is the total number of votes cast for that candidate in the election;
52BO. Every registered political party, every candidate contesting on behalf of the registered political party, and every independent candidate, respectively, shall keep proper financial records, including—

(a) copies of all records and receipts, appropriately signed;

(b) written loan agreements and copies of the records and receipts for cash connected to the receipt and repayment of loans;

(c) copies of all bills, invoices and receipts for goods and services purchased, other than goods and services referred to in section 52AX(2); and

(d) such other documentation the Commission may, by order subject to affirmative resolution, prescribe.

52BP.—(1) Every registered political party and every candidate, whether the candidate is contesting on behalf of a registered political party or is contesting as an independent candidate, shall submit to the Commission, a Final Disclosure Report in the prescribed form detailing its or his income and expenditure, and all contributions received during the reporting period.

(2) If within the reporting period a candidate did not receive any contribution, or expend
any resources, this should be declared by the candidate
in the Final Disclosure Report.

52BQ. The Commission, having received
declarations and reports under this Part, shall maintain
records of those declarations and reports at its office.

52BR. After each election, the Commission shall
publish reports disclosing—

(a) the total contributions received by each
registered political party during the
reporting period;

(b) a list of all contributions, of or exceeding
the sum of one million dollars (or such other
sum as the Commission may, by order
subject to affirmative resolution,
prescribe), received by each registered
political party during the reporting period;
and

(c) a list of all contributions of or exceeding
the sum of one million dollars (or such other
sum as the Commission may, by order
subject to affirmative resolution, prescribe)
received by candidates during the reporting
period.

52BS. All decisions of the Commission required
to be made under this Part shall be made on behalf of
the Commission by the selected Commissioners only.

Media

52T. Where during any campaign period, the
Commission is of the view that the provisions of section
21 of the Broadcasting and Radio Re-Diffusion Act
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has been breached, the Commission shall refer the matter to the Broadcasting Commission established under that Act for appropriate action to be taken.

52BU.—(1) The Commission may make regulations for the better carrying out of the provisions of this Part and, without prejudice to the generality of the foregoing, such regulations may make provisions, not inconsistent with this Act—

(a) prescribing any form;

(b) specifying procedure for which no express procedure is contained in this Part;

(c) prescribing administrative fines in fixed amounts not exceeding one million dollars, and providing for public apologies, and the return of contributions, in respect of any breaches of the provisions of this Part or of regulations made under this Part; and

(d) prescribing the format in which campaign expenditure is to be accounted for.

52BV.—(1) Where an offence under this Act or any regulations made under this Act is committed by a registered political party or a body corporate and is proved—

(a) to have been committed with the consent or connivance of any officer or the authorized representative of the registered political party, or any director, manager, secretary or other similar officer of the body corporate or any person who was purporting to act in any of those capacities; or
(b) to be attributable to the failure of any such officer or authorized representative, or any director, manager, secretary or other similar officer or person, to exercise all such reasonable diligence as he ought, in the circumstances, to have exercised to prevent the offence, having regard to the nature of his functions and all the circumstances,

the officer or authorized representative, or the director, manager, secretary or other similar officer or person as aforesaid, as well as the registered political party or the body corporate, commits that offence and may be proceeded against and be punished accordingly.

(2) For the purposes of this section, a person shall be deemed to be a director of a body corporate if he occupies in relation thereto the position of a director, by whatever name called, or is a person in accordance with whose directions or instructions (being directions or instructions in a professional capacity only) the directors and the body corporate or any of them act.”.

6. Section 55 of the principal Act is amended—

(a) by deleting subsection (1) and substituting therefor the following—

“(1) Subject to the provisions of subsection (2) and Part VC, no expenditure shall be incurred in relation to the candidature of any person during a campaign period in excess of fifteen million dollars or such other sum as the Commission may, by order subject to affirmative resolution, prescribe;”; and
(b) in subsection (2), by deleting the words "at any election" and substituting therefor the words "during a campaign period".

7. Section 56 of the principal Act is amended by deleting the words "at any election" and substituting therefor the words "during a campaign period".

8. Section 57 of the principal Act is amended, by deleting the words "during the period of the election" and substituting therefor the words "during the campaign period".

9. Section 58(1) of the principal Act is amended, by deleting the words "at any election" and substituting therefor the words "during the campaign period".

10. The principal Act is amended by inserting next after section 81 the following as section 81A—

"Prohibition of campaign activities on election day. 81A.—(1) A person shall not—

(a) publish or broadcast, or cause to be published or broadcast, any political programme or political campaign advertisement, in whatever form, within twenty-four hours of the time fixed for the opening of the poll on election day;

(b) publish or broadcast, or cause to be published or broadcast, any opinion polling results or any opinion survey within forty-eight hours of the time fixed for the opening of the poll on election day.

(2) A public body shall not make or cause to be made any promotional media advertisement
supporting, furthering or opposing the campaign of any registered political party or candidate, between the day of the official announcement of the date of an election and the day of the election.

(3) A person who or a public body that contravenes subsection (1) or (2) commits an offence and shall be liable on summary conviction in a Resident Magistrate’s Court to a fine not exceeding five million dollars.

(4) In this section, “political programme” includes any broadcast which is likely or intended to—

(a) solicit support for any registered political party;

(b) promote the election of any candidate; or

(c) attack the policies, plans or programmes, or the image of, any registered political party or any candidate.”.
**The Representation of the People (Amendment) Act, 2016**

11. The Second Schedule to the principal Act is amended by deleting Form 22 and substituting therefor the following—

Form 22

**THE REPRESENTATION OF THE PEOPLE ACT**

**RETURN OF ELECTION EXPENSES**

<table>
<thead>
<tr>
<th>Candidates Details</th>
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<tbody>
<tr>
<td>Name of Candidate:</td>
</tr>
<tr>
<td>Address:</td>
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<tr>
<td>Telephone Number:</td>
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<td>Email Address:</td>
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<table>
<thead>
<tr>
<th>Name of Political Party:</th>
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<tbody>
<tr>
<td>Independent Candidate:</td>
</tr>
<tr>
<td>Address:</td>
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<tr>
<td>Telephone Number:</td>
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<tr>
<td>Email Address:</td>
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<td>Contiguency Contested:</td>
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<table>
<thead>
<tr>
<th>Agent Details</th>
</tr>
</thead>
<tbody>
<tr>
<td>Name of Agent as appears on Nomination Form</td>
</tr>
<tr>
<td>Address of Agent:</td>
</tr>
<tr>
<td>Telephone Number:</td>
</tr>
<tr>
<td>Email Address:</td>
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</table>
Section 1 - DONATIONS OR CONTRIBUTIONS RECEIVED

The disclosure period starts from and ends

Endorsed candidate – From the date of endorsement by a political party

Independent Candidate – From the date candidacy was announced or candidate nominated as independent (whichever is the sooner).

Donation/Contribution - within the meaning of the Act. For each donation/contribution received record the full name and address of the person or organisation from whom the donation/contribution was received, along with the name and address of each member of the executive committee of the organisation.

If the donation and/or contribution was from a trust or foundation the name and description of the trust or foundation along with the names and addresses of the trustees are required.

Donations and contributions (monies, securities, goods, services) received by candidates and/or his agent from any sources in connection with the election.

<table>
<thead>
<tr>
<th>Date</th>
<th>Describe nature of contributions/donation received</th>
<th>Name and Address of Source from which received</th>
<th>Amount or Value of contribution or donation</th>
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Section 2 - ELECTORAL EXPENDITURE

The disclosure period for reporting electoral expenditure commences on the (issue of the Writ / the announcement of Election/Nomination Day) and concludes on (Election Day).

All candidates shall lodge a Candidate Return, which may be a "nil" return if no expenses were incurred in relation to the election.

For each category of electoral expenditure (listed below) disclose the total amount incurred on goods and services provided during the disclosure period even if payment for those goods and services was made will be made outside of the disclosure period.

<table>
<thead>
<tr>
<th>Item</th>
<th>Total Expended</th>
</tr>
</thead>
<tbody>
<tr>
<td>1. Broadcasting advertisement relating to the election (including production cost; if cost incurred by party states what coverage the advertisement provided to you and give an estimated value approximate)</td>
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<tr>
<td>2. Newspaper advertising (state the medium used and the production cost):</td>
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<td>a.</td>
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<td>b.</td>
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<td>c.</td>
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<tr>
<td>3. Displaying campaign material on billboards and in public places—Internet advertisement. (Include production cost)</td>
<td></td>
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<tr>
<td>4. Production of campaign material (Creation of and printing)</td>
<td></td>
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<tr>
<td>5. Expenditure on distribution of advertising campaign materials</td>
<td></td>
</tr>
<tr>
<td>6. Production and distribution of campaign material that is addressed to constituents, particular persons or organisations</td>
<td></td>
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</tbody>
</table>

7. Expenditure on Canvassing

<table>
<thead>
<tr>
<th>Names of Canvassers</th>
<th>Amount Paid</th>
<th>Total</th>
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</table>
8. Conducting opinion polls and 
or other research relating to the 
election

| Amount paid | Name & addresses of pollster or 
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Rental of or use of Premises

<table>
<thead>
<tr>
<th>Particulars of Premises</th>
<th>Expenditure on Premises</th>
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- Period for which hired
- Amount paid per day
- Total
- Reasons for use
The Representation of the People (Amendment) Act, 2016

Rental of or Use of Motor Vehicles

<table>
<thead>
<tr>
<th>Particulars of Motor Vehicles used in Campaign</th>
<th>Purpose for which vehicle was used</th>
<th>Dates</th>
<th>Amount paid if rental or cost per diem if gift or donation equates monetary value</th>
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Expenditure on allowances to Speakers re: Rallies, Meetings, Conferences

<table>
<thead>
<tr>
<th>Date</th>
<th>Name of Speaker</th>
<th>Meetings addressed by speaker</th>
<th>Amount paid to speaker. (If free of cost equates monetary value)</th>
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<tr>
<td>Expenses on clerks, messengers, polling station/constituency runners and others</td>
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<thead>
<tr>
<th>Expenditure on personal living expenses of candidates – (e.g. Rental of exclusive accommodation for election purpose) Not to exceed $10,000.00</th>
<th>$</th>
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</table>
**The Representation of the People (Amendment) Act, 2016**

**Expenditure Incurred by Agent of Candidate**

Complete Sections 1 & 2

**Rental of or use of Premises**

<table>
<thead>
<tr>
<th>Particulars of Premises of no rental was paid equate to a monetary value for use</th>
<th>Expenditure on Premises</th>
</tr>
</thead>
<tbody>
<tr>
<td></td>
<td>Period for which hired</td>
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<tr>
<td>Petty Expenses incurred by Candidates—Not to exceed $2,000.00</td>
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<th>Miscellaneous and other expenses not enumerated above</th>
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The Representation of the People (Amendment)  
Act, 2016

DECLARATION OF CANDIDATE

I

of

a candidate at the election of a Member of the House of Representatives held on the

day of

20

do swear (or solemnly declare) that:-

(1) I have examined the attached return and the vouchers in support thereof; and

(2) I have made no payments to any person other than my official agent in connection with my candidature except as set out in the attached return;

(3) to the best of my knowledge, information and belief the attached return is a true and accurate return of all expenditure incurred in promoting my candidature at the said election and of monies, securities and money's worth received by my agent from any source in connection with my candidature.

______________________________
Signature

Declared to be _______________ before me this
day of _______________ 20

______________________________
Justice of the Peace

DECLARATION OF OFFICIAL AGENT

I

of

at the election of a Member of the House of Representatives held on the

day of 20

do swear (or solemnly declare) that:-

(1) to the best of my knowledge, information and belief the attached return is a true and accurate return of all expenditure incurred by any person in promoting the candidature of the said

______________________________
at the said election between the issue of the Writ for the said election and the return thereto-
The Representation of the People (Amendment) Act, 2016

(2) I have not received from the candidate or from any club, society or organisation any sum of money, securities or money's worth for promoting the said candidature between the said dates except as set out in the return.

______________________________
Signature

Declared to by ______________________________ before me this ____________

day of _______________________________ 20________

______________________________
Justice of the Peace

Passed in the House of Representatives this 1st day of December, 2015.

MICHAEL A. PEART
Speaker.

Passed in the Senate this 22nd day of January, 2016 with six (6) amendments.

FLOYD E. MORRIS
President.
The Representation of the People (Amendment) Act, 2016

On the 26th day of January, 2016 the House of Representatives agreed to the amendments made by the Senate.

MICHAEL A. PEART
Speaker.

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

Sgd. Heather E. Cooke
Clerk to the Houses of Parliament.
ELECTION CAMPAIGN FINANCING REGULATIONS, 2017
In exercise of the powers conferred upon the Electoral Commission of Jamaica by section 52BU of the Representation of the People Act, the following Regulations are hereby made:-

Citation.  1. These Regulations may be cited as the Election Campaign Financing Regulations, 2017.

Interpretation.  2. In these Regulations, unless the context otherwise requires –

“Act” means the Representation of the People Act;

“campaign period” has the meaning assigned to it under section 2 of the Act;

“Commission” means the Electoral Commission of Jamaica;

“contribution” has the meaning assigned to it under section 2 of the Act;

“Director” means the Director of Elections;

“Fund” means the National Election Campaign Fund established under section 52AN of the Act;

“Government contract” has the meaning assigned to it under section 52AM of the Act;

“impermissible contributor” has the meaning assigned to it under section 52AM of the Act;

“reporting period” has the meaning assigned to it under section 2 of the Act;

Notice by candidate who elects not to

3. Pursuant to section 52AR(5) of the Act, a notice by a candidate
who elects not to receive monies from the Fund in respect of expenses incurred by the candidate during the campaign period shall be in the form set out as Form 1 of the Schedule.

4. – (1) Pursuant to section 52AS(1) of the Act, a declaration of a contribution made to a registered political party or a candidate by a contributor who had entered into a Government contract within two years prior to the making of the contribution shall be made in the form set out as Form 2A of the Schedule.

(2) Pursuant to section 52AS(2) of the Act, a declaration of a contribution made to a registered political party or a candidate by a contributor who enters into a Government contract within two years after making the contribution shall be made in the form set out as Form 2B of the Schedule.

5. Where a registered political party or a candidate returns a contribution to an impermissible contributor in accordance with section 52AV (1) of the Act, the registered political party or the candidate, as the case may be, shall file a return in the form set out as Form 3 of the Schedule.

6. Pursuant to section 52AV of the Act, a contribution received by a registered political party or a candidate from an impermissible contributor whose identity cannot be disclosed or ascertained shall be transmitted to the Accountant General in the form set out as Form 4 of the Schedule.

7. A declaration made by a contributor, pursuant to section 52BA(1) of the Act, in respect of a contribution made by him to or for the benefit of
a registered political party or a candidate during the reporting period,
shall be in the form set out as Form 5 in the Schedule.

Form 5,
Schedule.

Receipt for contributions made.
Form 6,
Schedule.

8. A receipt that is required to be issued to a contributor by a
registered political party or a candidate, pursuant to section 52BC of the
Act, shall be in the form set out as Form 6 in the Schedule.

Declaration by candidate.
Form 7,
Schedule.

9. A declaration that a required to be made by a candidate pursuant to
section 52BF of the Act shall be in the form set out as Form 7 in the
Schedule.

Certificate of compliance.  
Form 8, Schedule.

10. Pursuant to section 52BG(2) of the Act, a Certificate of
Compliance issued by the Director to a candidate shall be in the form set
out as Form 8 of the Schedule.

Campaign Period Expenditure Report.
Form 9, Schedule.

11. – (1) A Campaign Period Expenditure Report that is required to be
submitted to the Commission by a registered political party in
accordance with section 52BJ(1) of the Act, shall be in the form set out
as Form 9 of the Schedule.

(2) The Campaign Period Expenditure Report may be submitted to
the Commission by –

(a) delivering it; or

(b) sending it by fax or other electronic means,
to the office of the Commission, within the period specified under
section 52BJ (1) of the Act.

Notice to elect not to receive funding from the Estimates and Expenditure.  
Form 10, Schedule.

12. Pursuant to section 52BN(3) of the Act, a notice of a candidate
who elects not to receive monies apportioned in the approved Estimates
of Expenditure for the funding of an election campaign shall be in the
form set out as Form 10 of the Schedule.
13. – (1) A person who is required to file or submit any report, declaration, notice or statement, under Part VC of the Act as at a particular date shall submit such report, declaration, notice or statement to the Commission on or within forty eight hours following that date.

(2) Pursuant to paragraph (1), where a person who is required to file or submit any report, declaration, notice or statement, fails to file or submit the report, declaration, notice or statement within the time specified under paragraph (1), or files or submits the report, declaration, notice or statement that is incomplete, the Commission may issue a notice, in writing, to the person requiring the person to file or submit the report, declaration, notice or statement, within thirty days from the date of receipt of the notice issued pursuant to this paragraph.

(3) Subject to paragraph (4), a person who fails to file or submit a report, declaration, notice or statement within the time specified under paragraph (1) shall be liable to an administrative penalty of twenty five thousand dollars for each day during which the report, declaration, notice or statement is not filed after the end of the period specified in paragraph (2).

(4) The Commission may waive the administrative penalty specified under paragraph (3) if the person who is required to file or submit the report, declaration, notice or statement, proves to the satisfaction of the Commission that the tardiness in filing or submitting the report, declaration, notice or statement or the filing of an incomplete report, declaration, notice or statement was not as a result of any wilful neglect on the part of the person.

14. – (1) A registered political party shall open and maintain a bank account.
account with a financial institution that is governed by the provisions of the *Banking Services Act*.

(2) The bank account under paragraph (1) shall be opened as soon as practicable after the first contribution is received by the registered political party and before the registered political party becomes liable for the payment of election expenses.

(3) Only contributions made in relation to election campaign financing shall be maintained in a bank account opened in accordance with this regulation.

**Appeals.**

15. – (1) A person who is aggrieved by a decision or an order made under these Regulations may appeal to the Supreme Court within thirty days from the date of notice of the decision or order at a later date.

(2) The Supreme Court may extend the time to file an appeal under this regulation if the person referred to in paragraph (1) shows good cause.
SCHEDULE
FORM 1 (Regulation 3)

THE REPRESENTATION OF THE PEOPLE ACT

---

Election Campaign Financing Regulations, 2017

---

NOTICE ELECTING NOT TO RECEIVE MONIES FROM NATIONAL ELECTION CAMPAIGN FUND
(Under section 52AR(5) of the Act)

To:

Electoral Commission of Jamaica
43 Duke Street
Kingston
Tel (876) 922-0425-9
Fax (876) 922-4058

I, the undersigned of _____________________________ elect not to receive moneys from _____________________________
(Name of Registered Political Party/Candidate)
the National Election Campaign Fund in respect of expenses incurred during the campaign period which commenced on the day of ________, 20____, and ended on the day of ________, 20____.

_________________________________                   _____________________________
Name of Registered Political Party/Candidate                  Signature of Candidate

Dated this ________ day of ________, 20____.
DECLARATION OF CONTRIBUTION BY CONTRIBUTOR WHO WITHIN TWO YEARS PRIOR TO MAKING SUCH CONTRIBUTION ENTERED INTO A GOVERNMENT CONTRACT HAVING A VALUE OF OR EXCEEDING $500,000.00

<table>
<thead>
<tr>
<th>Name of Contributor (person/company/Entity) (if company, insert company registration number)</th>
<th>Address of Contributor (person/company/Entity)</th>
<th>Name of registered political party or candidate to whom contribution was made</th>
<th>Date contribution made</th>
<th>Total amount of contribution</th>
<th>Date of award of Government contract (please provide certified copy of contract)</th>
<th>Value of Government contract</th>
</tr>
</thead>
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</table>

I ________________________ solemnly and sincerely declare that to the best of my knowledge and belief the particulars given by me herein are, to the best of my knowledge, true, accurate and complete.

_____________ 
Signature of Declarant

Note: Declaration is to be made not later than fourteen days after making the contribution.

Dated this , day of , 20 .
FORM 2B                                (Regulation 4(2))

THE REPRESENTATION OF THE PEOPLE ACT

———

Election Campaign Financing Regulations, 2017

———

(Under section 52AS(2) of the Act)

DECLARATION OF CONTRIBUTION BY CONTRIBUTOR WHO WITHIN TWO YEARS AFTER MAKING SUCH CONTRIBUTION ENTERS INTO A GOVERNMENT CONTRACT HAVING A VALUE OF OR EXCEEDING $500,000.00

<table>
<thead>
<tr>
<th>Name of Contributor (person/company/enterprise) (if company, insert company registration number)</th>
<th>Address of Contributor (person/company/enterprise)</th>
<th>Name of registered political party or candidate to whom contribution was made</th>
<th>Date contribution made</th>
<th>Total amount of contribution</th>
<th>Date of award of Government contract (please provide certified copy of contract)</th>
<th>Value of Government contract</th>
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</thead>
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</table>

I ________________________ solemnly and sincerely declare that to the best of my 
(Name of Declarant)
knowledge and belief the particulars given by me herein are true, accurate and complete.

________________________________________
Signature of Declarant

Note: Declaration is to be made not later than fourteen days after making the contribution.

Dated this _________________, day of _____________, 20____.
Note: Every contribution received by an impermissible contributor must be returned within thirty days after the date of receipt.

An impermissible contributor is an entity or person referred to in section 52AT(1) of the Act.

<table>
<thead>
<tr>
<th>Date contribution received</th>
<th>Amount/Value of contribution</th>
<th>Name of registered political party or candidate to whom contribution was made</th>
<th>Name of impermissible contributor who made contribution</th>
<th>Date of return of contribution</th>
<th>Signature of impermissible contributor acknowledging return of contribution</th>
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</tbody>
</table>

(Signature of General Secretary/Candidate)

Dated this , day of , 20 .
### TRANSMISSION OF CONTRIBUTION TO ACCOUNTANT GENERAL
WHERE IDENTITY OF CONTRIBUTOR HAS NOT BEEN DISCLOSED AND
CANNOT BE ASCERTAINED
(Under section 52AV(2) of the Act)

<table>
<thead>
<tr>
<th>Date contribution received</th>
<th>Amount/Value of contribution</th>
<th>Name of registered political party or candidate to whom contribution was made</th>
<th>Amount transmitted to Accountant General</th>
</tr>
</thead>
<tbody>
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</table>

(Signature of General Secretary of registered political party (if contribution made to a registered political party) or Candidate (if contribution made to candidate)

Received by ___________________________ on behalf of the Accountant General on the day of __________, 20__.

(Signature of person receiving contribution on behalf of the Accountant General)

Official Stamp Here
FORM 5                                      (Regulation 7)

THE REPRESENTATION OF THE PEOPLE ACT

Election Campaign Financing Regulations, 2017

DECLARATION OF CONTRIBUTOR
(Under section 52BA(1) of the Act)

Completing the declaration:-

- This declaration must be completed by a contributor who makes a contribution to or for the benefit of a registered political party or a candidate during the reporting period.
- The reporting period is defined in section 2 of the Act.

Contributor:  ______________________________
(Full name of contributor)
Address:  _________________________________
Mailing Address
If different _______________________________
from above: _______________________________
Occupation/ _______________________________
Description: _______________________________
Telephone No.: _____________________________
Facsimile No.: ______________________________
Email: ____________________________________

I _____________________________ hereby declare that I have made a contribution to or for (Name of contributor)
the benefit of the election campaign of __________________________ (Name of registered political party /candidate)
and that I am not an impermissible contributor referred to it section 52AT(1) of the Act.

Reporting period for this declaration.

From                              to                               , 20      .

________________________________                ____________________________
Signature of Declarant       Date
FORM 6  (Regulation 8)

THE REPRESENTATION OF THE PEOPLE ACT

Election Campaign Financing Regulations, 2017

RECEIPT FOR MAKING OF CONTRIBUTION
(Under section 52BC(1) of the Act)

<table>
<thead>
<tr>
<th>Receipt No. and date</th>
<th>Name and complete address of contributor</th>
<th>Amount/value of contribution</th>
<th>Aggregate amount* (where applicable)</th>
<th>Description of goods and services Cheque No.</th>
<th>Name of financial institution and Branch from which the amount is transferred</th>
</tr>
</thead>
<tbody>
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</tbody>
</table>

Grand total ________________________________.

____________________________________
Signature of (General Secretary/Treasurer) (if contribution made to a registered political party) or (Candidate) (if contribution made to a candidate)

____________________________________
Date

* For the prescribed amount with respect to the making of a contribution, see section 52BA(3).
* For contribution limits within the reporting period see section 52BC (2) of the Act.
THE REPRESENTATION OF THE PEOPLE ACT

Election Campaign Financing Regulations, 2017

DECLARATION OF CANDIDATE
(Under section 52BF of the Act)

I ____________________________________, of _______________________________

(Full name of Candidate in BLOCK letters)                           (Name of registered political party)

solemnly declare that no contribution has been received by me directly or indirectly from any impermissible contributor in contravention of section 52AT(1) of the Representation of the People Act.

The information given in this declaration is correct and truly stated, to the best of my knowledge and belief.

Reporting period for this declaration

From                           to                           , 20     .

__________________________________________                               _____________
Signature of Declarant                            Date

Note: Declaration is to be made within six weeks after the date of the election.
FORM 8 (Regulation 9)

THE REPRESENTATION OF THE PEOPLE ACT

Election Campaign Financing Regulations, 2017

CERTIFICATE OF COMPLIANCE
(Under section 52BG of the Act)

I ________________________, of ______________________________
(Name of director) (Address)
being the Director of Elections hereby certify that ______________________________
(Name of candidate)
being a candidate of _______________________________________, a registered political
(Name of registered political party/candidate)
party operating during the election held in Jamaica on the day of , 20
has complied with the campaign period reporting obligations under the Representation of the
People Act.

Dated this day of , 20 .

_______________________
Director of Elections
To:

Electoral Commission of Jamaica
43 Duke Street
Kingston
Tel (876) 922-0425-9
Fax (876) 922-4058

On behalf of the____________________________________________________________

(Name of registered political party)

I ___________________________ of __________________________________________

(Name) (Mailing address)

(General Secretary/Treasurer)

being the _________________________________ of the above named registered political party make the following Report in relation to the reporting period which commenced on the day of , 20 , and ended on the day of , 20 .

________________________

Signature

________________________

Date

NB: This Report must be made within a period of one hundred and eighty days after the day on which an election is held.
Failure to file this Report within the period specified above attracts a penalty upon summary conviction of a fine not exceeding one million dollars (section 52BK)

Full name of registered political party:  

As Shown on Registration

Address of registered political party:

Name and address of financial institution of registered political party:

Reporting period covered: Date Through $
Declared total spending:

<table>
<thead>
<tr>
<th></th>
<th>Totals Detailed Summary Page</th>
</tr>
</thead>
<tbody>
<tr>
<td>1</td>
<td>Total Monetary Contributions</td>
</tr>
<tr>
<td>2</td>
<td>Total Monetary Expenditures</td>
</tr>
<tr>
<td>3</td>
<td>Funds on hand at the end of reporting period</td>
</tr>
<tr>
<td>4</td>
<td>Estimate value of non-monetary contributions</td>
</tr>
</tbody>
</table>

Certification: (Must be completed by either the (General Secretary or Treasurer)): I hereby certify and declare that to the best of my knowledge or belief no contributions were received during this reporting period, from impermissible contributors contrary to section 52AT(1) of the Act.

Print Name: [(General Secretary)/(Treasurer)]: _____________________________________________

Date: ______________________

**Part 1 (CONTRIBUTIONS)**

**Detail of Contributions**

The number of contributors and the total value of the contributions received during the reporting period must be reported for each class of contributor and each contribution (See section 52AS in relation to each class of contributor and sections 52BA (3) and (4) in relation to the prescribed monetary threshold).

**PART I**

1. **Persons**

Section 52BA(4) provides that where during a reporting period, more than one contribution is made by a particular contributor to or for the benefit of a registered political party or a candidate which exceed in the aggregate the sum referred to in subsection (3), the declaration referred to in subsection (1) shall include all such contributions, even if any of those contributions is less than that sum.

Note: List below all contributions received during the reporting period of a value of or exceeding $250,000.00. (Please provide copy of receipts, see Form 6)

<table>
<thead>
<tr>
<th>Name/address/occupation of contributor</th>
<th>Amount/value of Contribution</th>
<th>Aggregate amount (where applicable)</th>
<th>Date of receipt of contribution</th>
</tr>
</thead>
<tbody>
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</tbody>
</table>

List additional contributions on separate sheet provided and affix to the Report.
PART II

2. Company

Note: List below all contributions received during the reporting period of a value of or exceeding $250,000.00. (Please provide copy of receipts, see Form 6)

<table>
<thead>
<tr>
<th>Name of Contributors</th>
<th>Address of Company/Company registration number, copy of Certificate of Incorporation</th>
<th>Amount/Value of contribution</th>
<th>Aggregate amount</th>
<th>Date of receipt of contribution</th>
</tr>
</thead>
<tbody>
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</tbody>
</table>

List additional contributions on separate sheet provided and affix to the Report.

PART III

3. Other Entities

NB. List below all contributions received during the reporting period of a value of or exceeding $250,000.00.

<table>
<thead>
<tr>
<th>Name and address of contributor</th>
<th>Amount/value of contribution</th>
<th>Aggregate amount</th>
<th>Date of receipt of contribution</th>
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</tbody>
</table>

List additional contribution on separate sheet provided and affix to the Report.

List attached ___________   Number of pages ______

Yes/No

Number of contributors:  ____________
Total amount of contributions:  ____________
Number of contributors _____________
Total number of contributions _____________

PART IV

4. Contribution from Other Sources

The total contributions the registered political party received from fund raising events, meetings, etc.

The total value of promotional items and other similar sources must be reported below.

<table>
<thead>
<tr>
<th>Source</th>
<th>Amount/Value</th>
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</table>

Total $ 

Part V

5. Loans borrowed by the Registered Political Party

LOAN SOURCE

Name of Lender: _______________________________________________
Address: __________________________________________________________________
Email: __________________________________________________________________
Telephone Number: _________________________________________________________

Original amount of loan: $____________________ Interest rate: ___________________

Total amount of all loans borrowed during this reporting period: $____________________

Loan amount received during this reporting period: $____________________

Principal amount paid during this reporting period: $____________________

Interest amount paid during this reporting period: $____________________

Total repayments made: $____________________

Amount repaid this reporting period: $__________________

(Sum of principal and Interest)

Outstanding Balance(s): $____________________

TERMS OF LOANS

<table>
<thead>
<tr>
<th>Date Loan Received</th>
<th>Due Date for Final Payment</th>
</tr>
</thead>
<tbody>
<tr>
<td></td>
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</tbody>
</table>
LIST ALL ENDORSERS AND GUARANTORS OF LOANS

<table>
<thead>
<tr>
<th>Full Name</th>
<th>Address</th>
<th>Amount Guaranteed</th>
</tr>
</thead>
<tbody>
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</tbody>
</table>

PART VI

6. Summary of Contributions

List below by class of contributor the aggregate amount of –

(A) contribution of a value of or exceeding $250,000.00;

(B) the number of contributors in each class who, in the reporting period, have made contributions to the registered political party.

<table>
<thead>
<tr>
<th>Amount of contribution</th>
<th>Number of contributors</th>
<th>Amount/value of contributions</th>
</tr>
</thead>
<tbody>
<tr>
<td>1. Person</td>
<td></td>
<td></td>
</tr>
<tr>
<td>2. Company</td>
<td></td>
<td></td>
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<tr>
<td>3. Entity</td>
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<tr>
<td>Total</td>
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</tr>
</tbody>
</table>

PART VII

7. Declaration of [(General Secretary/Treasurer)] of Registered Political Party

I ___________________________ of ___________________________, Address of ____________________________ hereby declare that I have examined the Campaign Expenditure Report, closely with any attached certified statements to be transmitted to the Commission and now shown to me by the officer to whom this declaration is made, and that to the best of my knowledge and belief the Campaign Expenditure Report and any attached certified statements are correct; and I further declare that, except as specified in the Campaign Expenditure Report, no money, security or equivalent for money has been paid, advanced, given or deposited by anyone to me or, to the best of my knowledge and belief, to any other person for the purpose of defraying any expenses incurred on behalf of the registered political party or for promoting its aims; and I further declared that except as appears from the Campaign Expenditure Report, I have not, and, to the best of my knowledge and belief, no person, company or entity has, on
behalf of the registered political party; made any payment or incurred any liability on account of or with respect to the conduct or management of the affairs of the registered political party:

_______________________________
Signature of (General Secretary/Treasurer) of registered political party

Signed and declared before me by the above named on _____ day of __________.

_______________________________
Director of Elections

This declaration must accompany the Campaign Expenditure Report. If the Campaign Expenditure Report is submitted without this declaration it will be returned to the (General Secretary) of the registered political party who will need to complete the declaration and re-submit the Campaign Expenditure Report.
FORM 10  
(Regulation 12)

THE REPRESENTATION OF THE PEOPLE ACT  
Election Campaign Financing Regulations, 2017

NOTICE  
(Under section 52BN(3) of the Act)

I, the undersigned __________________ elect not to receive  
(Name of candidate)  
moneys from the [Consolidated Fund] for the reimbursement of election expenses incurred  
during the campaign period commencing on the day of , 20 , and  
ending on the day of , 20 .

__________________________  
Signature of Candidate  

Dated the .......... day of ..........., 2017.

THE ELECTORAL COMMISSION OF JAMAICA  
COMMISSIONERS

Mr. Paul Burke  
Senator Thomas Tavares-Finson CD, qc  
Dr. Donald Keith Duncan  
Mr. Almirre Franklin  
Mr. Earl Jarrett CD  
Professor Alvin G. Wint CD

The Honourable Justice Karl Harrison cd  
The Honourable Mrs. Dorothy Pine-Mclarty OJ

Chairman

Director of Elections  
Mr. Ernette Fisher JP