



THE
JAMAICA GAZETTE
SUPPLEMENT

PROCLAMATIONS, RULES AND REGULATIONS

882E

Vol. CXLVII

TUESDAY, JULY 2, 2024

No. 131B

No. 176B

THE TRADE ACT

THE TRADE (SALE OF GOODS DURING PERIOD OF DECLARATION OF
DISASTER AREA) (HURRICANE BERYL) ORDER, 2024

In exercise of the power conferred upon the Minister by section 8(1) of the Trade Act, and every other power hereunto enabling, the following Order is hereby made:—

1. This Order may be cited as the Trade (Sale of Goods During Period of Declaration of Disaster Area) (Hurricane Beryl) Order, 2024, and shall come into force on the 2nd day of July, 2024.

2.—(1) With effect from the date of coming into force of this Order and for the duration of the period of operation in force of the Disaster Risk Management (Declaration of Disaster Area) (Hurricane Beryl) Order, 2024, no person whose business includes the retail sale of goods shall sell any necessary goods to another person at a price higher than the price charged immediately before the coming into force of the Disaster Risk Management (Declaration of Disaster Area) (Hurricane Beryl) Order, 2024.

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- (2) In this paragraph, “necessary goods”—
- (a) means any—
- (i) item used, or intended for use, as food or drink by a person;
 - (ii) personal care items such as soap, cleaning products, antibacterial products, toiletries, alcohol, hand sanitizers, feminine hygiene products, diapers, bleach and gloves; and
 - (iii) medical supplies, including surgical masks and prescription and non-prescription medication;
 - (iv) building and roofing supplies (such as roofing shingles, roofing underlayment, roof flashing, roofing sealant and adhesives, roofing tar and cement, gutters and spouts, lumber, plywood and sheathing, nails and screws, drywall and plaster, insulation, hammers, saws, power tools, tape measures, levels, caulking and sealants, electrical supplies, plumbing supplies, paints and painting supplies, tarpauling and plastic sheeting);
 - (v) safety and cleaning supplies (such as work gloves, safety glasses, dust masks and respirators, heavy-duty trash bags, utility knives, scissors, ladders and scaffolding, generators and extension cords);
 - (vi) emergency supplies (such as flashlights, batteries and first-aid kits);
- (b) does not include any goods that are, or may be, regulated by or under—
- (i) the Sugar Industry Control Act;
 - (ii) the Agricultural Produce Act;
 - (iii) the Agricultural Marketing Act;
 - (iv) the Coconut Industry Control Act;
 - (v) the Banana Board Act; or
 - (vi) the Jamaica Agricultural Commodities Regulatory Authority Act.

3. A person carrying on or employed in any business referred to in paragraph 2 shall produce to the Minister, or any person authorized in that behalf by the Minister, such books, accounts or other documents relating to the business, as the Minister may require for the purposes of enforcing this Order.

4.—(1) A person who contravenes this Order commits an offence and shall, on summary conviction before a Judge of a Parish Court, be liable to a fine not exceeding one million dollars.

(2) It shall be a defence to a charge of contravening paragraph 2(1) for the person charged to prove that the difference in the price in question is attributable solely to the cost to the business concerned of obtaining the particular goods.

Dated this 2nd day of July, 2024.

AUBYN HILL
Minister of Industry, Investment and Commerce.