

MEMORANDUM OF UNDERSTANDING

THIS MEMORANDUM OF UNDERSTANDING (“MOU”) is made the 31 day of July 2020 (the “Effective Date”) BETWEEN:

- (1) **THE GOVERNMENT OF JAMAICA** (the “GOJ”) acting through the **MINISTRY OF NATIONAL SECURITY** with its offices at North Tower, 2 Oxford Road Kingston 5, Jamaica (the “Ministry”) of the **ONE PART; AND**
- (2) **THE PRIVATE SECTOR ORGANISATION OF JAMAICA** with its offices at 39 Hope Road, Kingston 10, in the Parish of Saint Andrew, Jamaica (the “PSOJ”) of the **OTHER PART,**

(herein referred to individually as a “Party” and collectively the “Parties”).

WHEREAS at a National Road Safety Council meeting convened in November 2017, the Honourable Prime Minister, in his capacity as committee chairman, mandated the Ministry to take ownership of the Traffic Ticket Management System (“TTMS”) and put in place a program for updates to be implemented that will ensure the TTMS operates optimally to provide quality service to all stakeholders;

AND WHEREAS the updated TTMS will be a centralised, web-based platform that will improve the management of traffic tickets throughout the various stages – issuance of tickets, application of payments, demerit points, court fines, issuing of warrants, etc. The platform will reflect in real time from the point the ticket is issued to an offender, to when it is either paid at the tax office or adjudicated in court;

AND WHEREAS the Ministry intends to implement the “JamaicaEye” which is part of an island wide network of camera surveillance systems designed to increase the safety of citizens of Jamaica. These cameras will monitor public spaces across the island and assist the authorities in responding to incidents in the event of an incident, disaster, act of criminality or accident;

AND WHEREAS the Ministry intends to strengthen the governing frame work for management of noise nuisance through the introduction of Regulations to the Noise Abatement Act and monitor and report on road safety, specifically fatal collisions and fatalities among motor cyclists, and general improvements in road safety achieved through targeted enforcement by the Jamaica Constabulary Force;

AND WHEREAS the Ministry and the PSOJ wish to form a Monitoring Committee that will include members of the PSOJ, the Ministry and the Ministry of Transport and Mining to assist in the implementation of the TTMS and JamaicaEye programs.

NOW THEREFORE THE PARTIES HAVE AGREED AS FOLLOWS:

1. PURPOSE

- 1.1 Within Thirty (30) working days of the Effective Date the Parties shall establish the Monitoring Committee as defined in clause 2, and in order to enable this, within fourteen (14) working days of the Effective Date the Parties will nominate in accordance with clause 2.2 below (and the Ministry will procure that the Ministry of Transport and Mining nominates) the person(s) whom they intend to serve on the Monitoring Committee.
- 1.2 The Parties agree the purpose of the Monitoring Committee is to:
 - 1.2.1 oversee and ensure that the Ministry is compliant with the timelines that it has set out for the completion of certain tasks to execute and improve the TTMS, the JamaicaEye, Regulations to the Noise Abatement Act and motorcycle driving simulators in Western Jamaica for the improvement of public order and road safety, as set out in the Schedule attached hereto (the "**Improvement Activities**");
 - 1.2.2 provide an avenue for the PSOJ over the life of this MOU to receive and review information from the GOJ on the progress of the Improvement Activities, to assist in ensuring that the targets set by the Ministry are achieved and to mobilise public support for the TTMS and the JamaicaEye.
- 1.3 This MOU is not intended to create a legally binding contract nor create, evidence or imply any contract, obligation to enter into a contract or obligation to negotiate.

2. MONITORING COMMITTEE

- 2.1 The Parties shall constitute a management committee (the "**Monitoring Committee**") whose responsibilities are outlined at clause 3.2 below.
- 2.2 The members of the Monitoring Committee will be as follows:
 - 2.2.1 Three (3) representatives appointed by the PSOJ (which shall include the person serving from time to time as Chairman of its Standing Committee on National Security and Justice ("SCNSJ"));
 - 2.2.2 Three (3) representatives of the Ministry; and
 - 2.2.3 Three (3) representatives of the Ministry of Transport and Mining.
- 2.3 The Monitoring Committee will be chaired by the PSOJ Chairman of the SCNSJ.

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- 2.4 Monitoring Committee meetings will be held on a quarterly basis as agreed by committee members. The Chairperson may, as circumstances dictate, with due notice to members, vary the standard meeting date.
- 2.5 Six (6) of the named members of the Monitoring Committee will constitute a quorum. The quorum will be constituted with no less than two (2) members from each body listed at clause 2.2 below. The Monitoring Committee members may appoint alternates to attend meetings in their absence and these alternates will be counted as a part of the quorum.

3. DUTIES:

- 3.1 The Ministry will have the following responsibilities:
- 3.1.1 to complete the Improvement Activities within the timelines stated in the Schedule attached hereto or as otherwise agreed with the Monitoring Committee;
 - 3.1.2 to make regular reports (which shall comprise of specific deliverables, timelines, accountable parties, ministries, departments and agencies with accountable officers being the relevant permanent secretary or a declared nominee) to the Monitoring Committee regarding the progress of the Improvement Activities; and
 - 3.1.3 to achieve the KPI's (as defined herein) proposed by the Monitoring Committee.
- 3.2 The Monitoring Committee will have the following authority and responsibilities:
- 3.2.1 to monitor the compliance and progress of the Ministry in completing the Improvement Activities and to request and receive reports from the Ministry in that regard through its designated reporting person(s) as determined by the Ministry from time to time;
 - 3.2.2 to make quarterly reports to the PSOJ commenting on the status of the Improvement Activities and setting out any major areas of concern;
 - 3.2.3 where necessary holding meetings with the Minister of Transport and Mining and/or the Minister of National Security to raise concerns that the Monitoring Committee may have with regards to the compliance and progress of the Ministry in completing the Improvement Activities;
 - 3.2.4 to propose Key Performance Indicators ("KPI's") that are to be agreed on by the Parties, to measure the progress of the Improvement Activities;



3.2.5 any other responsibilities and authority within the Monitoring Committee's scope which shall be explicitly agreed with the Ministry from time to time.

3.3 The PSOJ has the following authorities and responsibilities:

3.3.1 to make quarterly reports to the public, by way of press conferences and other agreed upon mediums, on behalf of the Monitoring Committee commenting on the status of the Improvement Activities and setting out any major areas of concern; and

3.3.2 other responsibilities and authority within the PSOJ's scope which shall be explicitly agreed with the Ministry from time to time.

4. **RECORDS:**

4.1 The Monitoring Committee will keep minutes of its meetings and will record in such minutes all decisions and the factors which have been considered by the committees in reaching their decisions.

5. **AMENDMENTS/RENEWAL:**

5.1 The Parties shall review and if they think appropriate, amend and renew this Memorandum of Understanding on an annual basis or as they deem necessary.

6. **LAW**

6.1 This Memorandum of Understanding is governed by and construed under the laws of Jamaica without regard to its conflict of laws principles.

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This MOU has been entered into on the date stated at above.

Executed for and on behalf of the
MINISTRY OF NATIONAL SECURITY
by Dianne McIntosh, Permanent Secretary
in the presence of

Witness

)
) Lawrence R. Smith
)

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Signed for and on behalf of)
PRIVATE SECTOR ORGANISATION OF)
JAMAICA)
by)
in the presence of)



Witness





SCHEDULE

	<u>TTMS IMPROVEMENT ACTIVITIES</u>	Timeline
1.	Develop online portal to allow offenders to check their traffic ticket status, history, demerit points, etc.	August 2020
2.	Launch handheld traffic ticketing pilot for use by the members of the Jamaica Constabulary Force with at least 100 devices.	December 2020
3.	Report on the continuous update and management of the TTMS.	Quarterly
	<u>JAMAICAEYE IMPROVEMENT ACTIVITIES</u>	
4.	Install CCTV systems and connect GOJ Departments and Agencies into CCTV System.	March 2022
5.	Commence public-private partnership (PPP) initiatives with the signing of MOU's to formalise partnerships with private camera contributors.	March 2021
6.	Establish CCTV monitoring zones in major towns in each parish.	March 2022
	<u>NOISE ABATEMENT ACTIVITIES</u>	
7.	Finalize the Cabinet Submission for the introduction of the Regulation to the Noise Abatement Act.	September] 2020
8.	Conduct Monthly meeting of the Noise Abatement Technical Committee and Agreements.	Monthly
	<u>ROAD SAFETY ACTIVITIES</u>	
9.	Motor Cycle Fatality Reduction.	September 2020
10.	Improved public order and road Safety to be determined in accordance with KPI's to be agreed on by the Monitoring Committee.	March 2021

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Law*