

SCHEDULE 2

PROTOCOL

Part 3

Programmes of Mutual Assistance

Article 13

Functions of the Committee

(1) The Committee, established under Part 1, Article 3(2), shall be responsible for the co-ordination and any modification of the Programmes of Mutual Assistance to be set out in Instruments in accordance with this Protocol. The Committee shall review the various periods stipulated for performance of the functions to be set out in additional instruments in order to ensure that required standards are met to the extent possible or to modify the stipulated periods, where appropriate.

(2) Any modification to the programme of Mutual Assistance shall be set out in writing. Additional instruments to the Protocol shall be signed by the members of the Committee, or their designees.

(3) The Committee shall be responsible, inter alia, for exchanging information and statistics related to the workloads and other administrative matters associated with the programme of assistance. The form and content of the information and statistics to be exchanged shall be settled by the Committee at its first meeting. The Committee may modify such form and content as may be appropriate in given circumstances.

(4) The Committee shall meet, as required, to review progress and establish programme guidance and priorities, provided however that such meetings shall not normally be held more than once every two years. Meetings of the Committee shall normally be held alternatively in Jamaica and the United Kingdom.

Article 14

Expenses

(1) Subject to paragraph (3) below, in applying Article 2 of the Convention the assistance rendered under this Protocol shall be without charge to either Party. The foregoing notwithstanding, the Committee shall periodically review the expenses involved in providing such assistance with a view towards balancing the costs incurred by each side.

(2) The United Kingdom undertakes to assist the competent authorities of Jamaica in the areas of technical assistance to enhance the capabilities of the latter Party to carry out fully its obligations pursuant to this Protocol.

(3) The Committee may decide, on a case by case basis, that items of assistance which fall to be implemented in the context of the programme are susceptible to attracting a User Fee, to be negotiated on the basis of cost to the Party executing a particular request.

Article 15

Confidentiality of Information

(1) Pursuant to Article 28(10) of the Convention, information conveyed by either Party about an individual and required solely for the purposes of implementing this Protocol shall be used exclusively for the purpose of administering the Convention. Such information shall be governed by the laws applicable in either Party for the protection of privacy and confidentiality of personal data.

Status: This is the original version (as it was originally made). This item of legislation is currently only available in its original format.

(2) In no case shall a competent authority of either Party be expected to furnish information which is not obtainable under the laws of that, or the other Party.

Article 16

Interpretation or Application

Any disagreement regarding the interpretation or application of this Protocol or its Instruments shall be resolved by the Committee, or failing that, by such other methods as may be resorted to, pursuant to Article 31(1) of the Convention. This Article is without prejudice to the rights and obligations of either Party under Article 31(2) and (3) of the Convention.

Article 17

Entry into Force and Period of Operation

(1) This Protocol shall enter into force at the same time as the Convention and shall form an integral part of the Convention.

(2) This Protocol shall remain in force for an indefinite period. The competent authorities of the United Kingdom and Jamaica undertake to initiate the programme of assistance specified in this Protocol and to be set out in future instruments as soon as is practicable.

(3) The competent authorities of either Party may terminate programmes of assistance by providing written notification to the competent authorities of the other Party. Such notice of termination shall not affect either Party's rights or obligations under the Convention, or those arising under this Protocol.

In witness whereof, the undersigned, duly authorised thereto by their respective Governments have signed this Protocol.

Done in duplicate at London this 12th day of November 1996.

For the Government of the United Kingdom of Great Britain and Northern Ireland:

Nic Bonsor

For the Government of Jamaica:

Portia Simpson