THE ARCHITECTS REGISTRATION ACT

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THE ARCHITECTS REGISTRATION ACT

Acts 12 of 1987, 4 of 2005

[2nd November, 1987.]

PART I. Preliminary

1. This Act may be cited as the Architects Registration Act.

Short title.

2.—(1) In this Act—

Interpreta-

- "Board" means the Architects Registration Board established in accordance with section 3;
- "Caribbean Community" means the Caribbean Community established by Article 2 of the Revised Treaty of Chaguaramas signed in the Bahamas on the 5th day of July, 2001 and includes the CARICOM Single Market and Economy;

4/2005 \$ 2(c)

- "Chairman" means the Chairman of the Board;
- "functions" includes duties and powers;
- "Jamaica Institute of Architects" means the unincorporated organization constituted on the 31st day of March, 1978, under the name of the Jamaica Institution of Architects;
- "Member State" means a Member State of the Caribbean Community excluding an Associate Member within the meaning of Article 231 of the Revised Treaty of Chaguaramas;

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"practice of architecture" means the rendering or offering to render for reward the services of an architect registered under this Act;

- "register" means the register of architects kept by the Registrar in accordance with the provisions of section 6;
- "registered architect" means a person registered as an architect under this Act:
- "Registrar" means the Registrar designated pursuant to section 5;
- "secretary" means the secretary of the Board.
- 4 2005 S. 2(d).
- (2) For the purposes of this Act, a person is a national of a Member State if that person is—
 - (a) a citizen of that state; or
 - (b) has a connection with that state of a kind which entitles him to be regarded as belonging to or, if it be so expressed, as being a native or resident of the state for the purposes of the laws thereof relating to immigrant.

PART II—Registration of Architects

Establishment of Board.

3.—(1) There shall be established for the purposes of this Act a body to be called the Architects Registration Board which shall be a body corporate to which the provisions of section 28 of the Interpretation Act shall apply.

First Schedule. (2) The provisions of the First Schedule shall have effect with respect to the constitution and procedures of the Board and otherwise in relation thereto.

Functions of the Board.

- 4.—(1) The functions of the Board shall be-
 - (a) to register architects;
 - (b) to regulate the practice of architecture in Jamaica;

- (c) to ensure the maintenance of acceptable standards of professional conduct by persons registered as architects under this Act.
 - (2) The Board shall have power—
- (a) to appoint examiners to conduct such examinations in respect of persons applying for registration as architects as may from time to time be necessary under the provisions of this Act;
- (b) to prescribe the procedure to be followed in respect of disciplinary proceedings against architects in relation to professional conduct; and
- (c) to do all such things as may appear to it to be necessary or desirable for carrying out its functions under this Act.
- 5. The Minister shall designate, by general notice, a person to Registrar. be the Registrar of Architects who shall also be secretary of the Board.
- 6.—(1) The Board shall cause the Registrar to keep a register. The register. (to be known as the Register of Architects) of the names, addresses, qualifications and such other particulars as may be prescribed of all persons who are registered as architects pursuant to this Act.
- (2) The register shall be open to inspection by any member of the public at all reasonable times and a copy of the register shall be published in the Gazette by the Registrar at such times and in such manner as may be prescribed.
- 7.—(1) Every application for registration as an architect Application under this Act shall be in the prescribed form signed by the for registraapplicant and delivered to the Registrar and shall set out the grounds on which the applicant claims to be entitled to registration.

- (2) The Board may require such evidence of identity or such verification of any matter alleged by the applicant or such further information relating to the application as it thinks requisite.
- (3) Every application under this section shall be accompanied by the prescribed fee.

Registration.

- 8.—(1) If the Board is satisfied in relation to any application for registration that—
 - (a) the provisions of section 7 have been complied with; and
 - (b) the applicant is qualified for registration under the provisions of this section and section 9 or 24,

the Board shall register the applicant as an architect and shall notify the applicant in writing accordingly and shall direct the Registrar to issue to him in the prescribed form a certificate of registration.

- (2) For the purposes of registration under this Act, the Board may require any applicant to submit to such examination relating to his competence as an architect as the Board thinks necessary.
- (3) If the Board is not satisfied as to the eligibility of the applicant to be registered under this Act it shall refuse to register the applicant and shall notify him in writing accordingly and shall inform him of the right of appeal conferred by section 20
- (4) Every person registered as an architect under this Act shall be entitled to carry on the practice of architecture in Jamaica and to demand and recover any reasonable charges for services rendered by him as an architect.

9. Every person shall be entitled to be registered as an Qualificaarchitect under this Act who satisfies the Board—

tions for registration.

(a) that he is a national of Jamaica or of another Member State:

4/2005 S. 3(a).

- (b) that he is of good character and reputation; and
- (c) that he fulfils the following requirements, namely—
 - (i) that he is a member of, or holds a certificate granted by an institution, or other body recognized by the Board as having competence to approve qualification as an architect; or

4/2005 S. 3(b)(ii). 4/2005 S. 3(b)(iii).

- (ii) that he has had at least two years practical exin architectural work under perience supervision of a registered architect (at least one year of which was in a Member State) and has passed such examinations as may be required by the Board
- 10.—(1) Notwithstanding anything to the contrary, any person who comes within any of the categories of persons specified in the Second Schedule may, on application to the Board in the prescribed manner and on payment of the prescribed fee, be specially registered to carry on the practice of architecture for such time and on such conditions as the Board may with the approval to the Minister specify.

Special registration.

Second Schedule.

- (2) The Minister may, after consultation with the Board, by order amend the Second Schedule so as to add to or remove any of the categories of persons specified therein.
- (3) Notwithstanding the removal of any category of Second Schedule, any person who from the at the time of such removal is registered pursuant to subsection (1) within that category shall, subject to the provisions of subsection (1), continue to be specially registered until the expiration of the period for which he was specially registered.

- (4) The Registrar shall enter in a separate part of the register the names of all persons specially registered under this section.
- (5) The Registrar shall issue to every person specially registered under this section a certificate of registration in the prescribed form which, to the extent specified therein, shall entitle that person to practise as a registered architect.

Temporary registration.

11.—(1) Where the Board is satisfied, upon the application of any person, that that person—

4/2005 S. 4(a).

- (a) is not a national of a Member State;
- (b) is or will be temporarily visiting Jamaica for the purpose of practising the profession of architecture at an institution or place in Jamaica in the capacity of a teacher or a research student or as the holder of a fellowship or other study programme or under a foreign assistance programme or in such other circumstances as the Board may approve; and
- (c) possesses sufficient knowledge and experience for the efficient practice of architecture in the capacity aforesaid,

the Board shall, on receipt of the prescribed fee, grant temporary registration to that person.

4/2005 S. 4(b). (2) The Board may, upon application and payment of the prescribed fee, grant temporary registration to any person, not ordinarily resident in a Member State and not being a person to whom the provisions of subsection (1) applies, who satisfies the Board that he is or will be temporarily visiting Jamaica for the purpose of practising the profession of architecture and is otherwise qualified under paragraphs (b) and (c) of section 9.

- (3) A temporary certificate of registration shall entitle the holder to practise the profession of architecture in such institution or place or in such circumstances and for such period in the first instance or any subsequent instance (not exceeding in the first instance two years) and subject to such terms and conditions as may be specified in the certificate at the direction of the Board.
- (4) The names, addresses, qualifications and such other particulars as may be prescribed of all persons to whom temporary certificates of registration are issued under this section shall be entered in a separate part of the register.
- (5) The Board may, from time to time, in its discretion, extend the period or vary the terms and conditions specified in any temporary certificate of registration.
- (6) The Board shall have power to cancel, without notice, any temporary certificate of registration.
- (7) During the period specified in any temporary certificate of registration or any extension thereof, the holder shall, unless the certificate has been cancelled, be deemed for the purposes of this Act to be a registered architect.
- 12. Every person registered under this Act who, subse- Additional quent to his registration, obtains any degree, qualification qualificaor other designation relevant to the practice of architecture. shall be entitled, on payment of the prescribed fee, to have such degree, qualification or designation inserted in the register in substitution for or in addition to those previously entered.

13.—(1) It shall be the duty of the Registrar—

Corrections of register.

- (a) to remove from the register any entry which the Board, pursuant to this Act, directs him to remove;
- (b) to restore to the register any entry which the Board, pursuant to this Act, directs him to restore;

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S. 5.

- (c) to correct, in accordance with the Board's direction, any entry in the register which the Board directs him to correct as being in the opinion of the Board, an entry which was incorrectly made;
- (d) to remove from the register, with the approval of the Board, the name of any person who has died or who, not being a national of Jamaica or of any other Member State, has, for a period of at least one year, ceased to be ordinarily resident in Jamaica or who has been issued with a temporary certificate of registration which has expired or has been cancelled or who, in accordance with any of the provisions of this Act, ceases to be a registered architect;
- (e) to make, from time to time, any necessary alterations in any of the particulars mentioned in subsection (1) of section 6.

(2) If the Registrar—

- (a) sends by post to any person registered under this Act a registered letter, addressed to him at his address appearing in the register, enquiring whether he has ceased to practise as an architect, or has changed his address and receives no reply to that letter within three months from the date of posting; and
- (b) upon the expiration of the period aforesaid sends in like manner to that person a similar letter and receives no reply to either letter with three months of the date of the second posting,

the Board may direct the Registrar to remove from the register the name of that person.

(3) The Board may direct the Registrar to restore to the register any name removed therefrom pursuant to this section.

14.—(1) No person other than a registered architect shall be Entitlement entitled to recover in any action any fee, charge, gratuity, remuneration or other reward for services rendered or offered as a professionally qualified architect.

- (2) Nothing in subsection (1) shall prevent any person from taking any action mentioned in that subsection in respect of anything lawfully done while such person was a registered architect.
- 15.—(1) Subject to section 16, with effect from such date as Prohibitions the Minister may, by order, specify, no person unless he is a nonregistered architect shall, in Jamaica-

affecting registered architects.

- (a) carry on the practice of architecture;
- (b) take or use, in relation to himself, the designation "architect" either alone or in conjunction with any other words or initials in such manner as to imply that he is qualified to carry on the practice of architecture in Jamaica
- (c) take or use, in relation to himself, any designation, title, name, initials or description indicating or implying that he is entitled to carry on the practice of architecture in Jamaica
- (2) A person shall be deemed to carry on the practice of architecture if he practices any branch of the profession of architecture or if, by verbal claim, sign, advertisement, letterhead, card or in any other way, represents himself to be an architect or, through the use of some other title, implies that he is an architect or that he is registered under this Act or holds himself out as being able to perform or does perform any architectural service or work.
- (3) For the purposes of this Act, a person not being a registered architect, does not carry on the practice of architecture by reason only that-

- (a) he does so in the course of his duties as an employee of a registered architect;
- (b) being an engineer or land surveyor registered under such laws as may, for the time being, provide for the registration of engineers or land surveyors, he engages in such architectural work as may be incidental to his practice as an engineer or land surveyor, as the case may be;

Second Schedule,

- (c) being an employee of the Government, who does not fall within the provisions of the Second Schedule, he does so in the course of his duties as such an employee.
- (4) Any person who contravenes the provisions of subsection (1) shall be guilty of an offence and shall be liable on summary conviction before a Resident Magistrate—

4.2005 S. 7(b)(i). (a) in the case of a first offence to a fine not exceeding two hundred and fifty thousand dollars or to imprisonment for a term not exceeding six months;

4/2005 S. 7(b)(ii). (b) in the case of a second or subsequent offence, to a fine not exceeding five hundred thousand dollars or to imprisonment for a term not exceeding twelve months.

Organizations. 4/2005 S.8. 16. No organization shall be entitled to be registered under this Act.

Improper registration.

- 17. If any person who is registered as an architect has, in the opinion of the Board, improperly obtained such registration, the Board shall have power—
 - (a) where such registration was obtained on the basis of any statement, information or document supplied by that person which he knew at the time to be false, to cancel such registration and to refuse to grant registration on any subsequent application;

(b) where such registration was obtained on any basis other than that specified in paragraph (a), to require the person registered to submit, within a period of three months of being so required or such longer period as the Board may permit, a new application in accordance with the provisions of this Act and, if he fails to do so, to cancel such registration.

PART III—Discipline

18.—(1) The Board shall appoint, from among persons who Disciplinary are registered architects but who are not members of the Board, a Disciplinary Committee consisting of such number of persons, not being less than five nor more than seven, as the Board thinks fit.

Committee.

(2) The provisions of the Third Schedule shall have Third effect with respect to the constitution of the Disciplinary Committee and otherwise in relation thereto.

Schedule

- (3) The Disciplinary Committee shall investigate and hear evidence in relation to any matter concerning the conduct of a registered architect and shall report its findings and recommendations to the Board
- (4) The Board may make rules for regulating the presentation, hearing and determination of matters by the Disciplinary Committee and for reports to the Board.
- 19.—(1) On receipt of a report from the Disciplinary Disciplinary Committee, if the Board finds any person registered under this powers of Act--

- (a) to have procured registration under this Act, as a result of any misleading, false or fraudulent misrepresentation; or
- (b) to be guilty of dishonesty, negligence or incompetence; or

(c) to be guilty of disgraceful or improper conduct in a professional respect,

the Board may-

- (i) censure or reprimand such person;
- (ii) suspend such person from the practice of architecture for a period not exceeding two years;
- (iii) impose such conditions as the Board may specify concerning the practice of architecture of such person;
- (iv) declare that such person is, in its opinion, unfit to be registered as an architect under this Act and may give a written order to the Registrar to cancel the registration of such person and the Registrar shall comply with the order forthwith and send a true copy of the order to the person by registered post to the last known address of such person.
- (2) Any person, whose registration has been cancelled or who has been suspended by the Board, or upon whom the Board has imposed specific conditions and who, after such cancellation or during such suspension or while such conditions remain in force, practices the profession of architecture or does so in violation of the conditions imposed by the Board, as the case may be, shall be guilty of an offence and shall be liable, on summary conviction before a Resident Magistrate, to a fine not exceeding two hundred and fifty thousand dollars or to imprisonment for a term not exceeding twelve months or to both such fine and imprisonment.
- (3) The Board may reinstate any person whose registration has been cancelled and may order that the name of such person be restored to the register.

4/2005 \$. 10(b)(ii).

20.—(1) Any person that is dissatisfied with any determina- Appeals. tion of the Board in relation to an application for registration under this Act or with any order of the Board based on a report made by the Disciplinary Committee may appeal from that determination or order to a Judge in Chambers.

- (2) On any such appeal, the facts may be proved by affidavit unless the Judge orders otherwise.
- (3) The appeal shall be instituted and notice thereof given to the Board not later than ninety days or such longer period as a Judge may, in any case, allow, after the determination or order of the Board has been communicated in writing to the appellant.
- (4) In deciding an appeal, the Judge may substitute his own opinion for the opinion of the Board upon any matter and may, in his own discretion, order the Board to take any action for which it is empowered under this Act.
- 21. The Board may, with the approval of the Minister, make Rules made rules in relation to the promotion by the Board, in the public interest, of acceptable standards of professional conduct among registered architects and, without prejudice to the generality of the foregoing, such rules may prescribe a code of professional conduct to be observed by all registered architects and may make provisions with respect to any other thing prescribed by regulations for the purposes of this Act.

by Board,

PART IV—Miscellaneous

22. A certificate of registration purporting to be issued by the Evidential Registrar shall be prima facie evidence in all courts and before all persons of the facts therein certified without further or other proof thereof.

Regulations.

- 23. The Minister may, after consultation with the Board, make regulations generally for giving effect to the purposes and provisions of this Act and, in particular but without prejudice to the generality of the foregoing, may make regulations in relation to all or any of the following matters—
 - (a) prescribing the qualifications and requirements which shall be a pre-requisite for registration under this Act;
 - (b) prescribing the form of and method of keeping the register;
 - (c) prescribing the forms of applications, certificates and other documents required under this Act;
 - (d) prescribing the fees payable to the Board in respect of any application, examination or registration under this Act or any alteration of or addition to the register or certificate or copy thereof issued pursuant to this Act;
 - (e) providing for the issue of certificates and seals to registered architects;
 - (f) providing for examinations to be conducted for the purposes of registration under this Act and prescribing the subject matter of such examinations, the standards required to be attained by successful candidates and the manner in which and times when such examinations will be conducted;
 - (g) regulating the procedure of the Board;
 - (h) providing for the service of documents under or for the purpose of any provision of this Act;
 - (i) providing for the surrender of seals and certificates;
 - (j) providing for the stamping of drawings, plans or other documents by registered architects;
 - (k) providing for such other matters as may be required for the efficient discharge by the Board of its duties and functions under this Act.

23A. The Minister may, by order subject to affirmative resolution, amend or vary any penalty or fine under this Act.

Minister may amend penalties, etc., by order. 4/2005 S. 15

PART V—Transitional

24.—(1) Notwithstanding anything to the contrary, on application made to the Board within one year from the 2nd day of November, 1987, or such longer period as the Minister may, by order, prescribe, a person who does not possess the requirements specified in section 9, shall be entitled to be registered as an architect under this Act, if he satisfies the Board that he—

Registration of persons practising as architects at the commencement of this Act.

- (a) is a citizen of Jamaica or is ordinarily resident in Jamaica;
- (b) has passed such examinations as may be required or approved by the Board;
- (c) has had less than ten years of such experience in architectural work as the Board may approve; and
- (d) is a fit and proper person to be registered as an architect
- (2) For the purpose of determining whether a person satisfies the requirements of subsection (1), the Board may conduct such investigation as it considers necessary relating to the competence and experience of the applicant in architectural work to which his application relates and may require the applicant to undergo written or oral examination to establish that competence.

FIRST SCHEDULE

(Section 3(2))

Constitution of the Board. 4/2005 S. 16 (a).

- 1.—(1) The Board shall consist of members of whom—
 - (a) one member shall be the president of the Jamaica Institute of Architects who shall be a member ex officio; and
 - (b) eight members (hereinafter referred to as "appointed members") shall be appointed by the Minister as follows—
 - (i) five registered architects, who shall be nominated by the Jamaica Institute of Architects;
 - (ii) one other registered architect;
 - (iii) two persons, not being registered architects.
- (2) The appointment of each member of the Board shall be for a period not exceeding two years and any such member shall be eligible for reappointment.

Chairman.

- 2.—(1) The Board shall elect one of its members to be Chairman and any such member shall be eligible for re-election as Chairman from time to time.
- (2) The Chairman shall, so long as he remains a member of the Board, hold office until his successor is elected.
- (3) An election of Chairman, other than the first such election, shall be held at the first meeting of the Board held after the 1st day of January in each year.
- (4) The Chairman of the Board shall preside at all meetings of the Board and if at any meeting of the Board the Chairman is absent or unable to act, the members present and constituting a quorum shall elect from among themselves a member to act as Chairman in respect of that meeting.

Members. 4/2005 S. 16(b). 3. If any member of the Board is, for whatever reason, unable to perform his functions as a member of the Board for a period in excess of three months, the Minister may appoint any person to act in the place of such member provided that such appointment shall be made in such manner and from among such persons as would be required in the case of a substantive appointment.

Resignations.

4.—(1) Any member of the Board may at any time resign his office by instrument in writing addressed to the Minister and transmitted through the Chairman and from the date specified therein or, if no date is specified, the date

of receipt by the Minister of such instrument such member shall cease to be a member of the Board

- (2) The Chairman may at any time resign his office as Chairman by instrument in writing addressed to the Minister and such resignation shall take effect from the date specified therein or, if no date is specified, the date of receipt by the Minister of such instrument.
- (3) The Minister, on receipt of the resignation of the Chairman, as aforesaid, shall as soon as possible thereafter notify the Registrar who shall convene a special meeting of the Board for the purpose of electing a new Chairman
- 5. If any vacancy occurs in the membership of the Board such vacancy Filling of shall be filled by the appointment of another member who shall vacancies. subject to the provisions of this Schedule, hold office for the remainder of the period for which the previous member was appointed.

6. The names of all members of the Board as first constituted and Publication every change in membership thereof shall be published in the Gazette.

of membership in Gazette.

7.—(1) The seal of the Board shall be kept in the custody of the Chairman Seal of or secretary thereof and shall be affixed to instruments pursuant to a resolution Board. of the Board.

- (2) The seal of the Board shall be authenticated by the signature of the Chairman or any person performing the duties of Chairman and shall be officially and judicially noticed.
- (3) All documents, other than those required by law to be under seal, made by and all decisions of the Board may be signified under the hand of the Chairman or any other member authorized to act in that behalf or, with the approval of the Board, by the secretary.
- 8.—(1) The Board shall meet at such time as may be necessary or expedient Meetings. for the transaction of its business and such meetings shall be held at such places and times and on such days as the Board may determine.

- (2) The Chairman may at any time call a special meeting of the Board and shall call a special meeting within seven days of the receipt of a written request for that purpose addressed to him by any three members of the Board.
- (3) The quorum of the Board shall be determined by the Board but shall be not less than one-half of the membership.

- (4) The decisions of the Board shall be by a majority of votes and, in addition to an original vote, the person presiding at any meeting shall have a casting vote in any case in which the voting is equal.
- (5) Minutes in proper form of each meeting of the Board shall be kept by the secretary.
- (6) The validity of the proceedings of the Board shall not be affected by virtue of any vacancy among the members thereof or any defect in the appointment of a member thereof.
- (7) Subject to the provisions of this Schedule or any regulations, the Board may regulate its own proceedings.

Committees.

- 9.—(1) The Board may appoint such committees as it may think fit and may delegate to any such committee the power and authority to carry out on its behalf such duties as the Board may determine, so, however, that no such committee shall have the power to make rules.
- (2) The constitution of each committee appointed as aforesaid shall be determined by the Board.

Liability of Board.

- 10.—(1) No member of the Board shall be personally liable for any act or default of the Board done or omitted to be done in good faith in the course of the operations of the Board.
- (2) Where any member of the Board is exempt from liability by reason only of the provisions of this paragraph, the Board shall be liable to the extent that it would be if the member were a servant or agent of the Board.

Remuneration.

11. There shall be paid from the funds of the Board to the Chairman and other members of the Board such remuneration whether by way of honorarium, salary or fees and such allowances as the Minister may determine.

Exclusion of Chapter V of Constitution.

12. The office of Chairman or member of the Board shall not be a public office for the purpose of Chapter V of the Constitution of Jamaica.

Auditors.

13. The Board shall appoint auditors who shall audit the accounts of the Board and submit an annual report to the Chairman who shall forthwith transmit the report to the Minister.

SECOND SCHEDULE

(Section 10)

Categories of Persons who may be specially registered as architects

- 1. Any person holding the position or performing the duties of City Architect of the Kingston and St. Andrew Corporation.
- 2. Any person holding the position or performing the duties of Superintendent of Roads and Works of any Parish Council.
- 3. Employees in the service of the Government who are engaged in an architectural capacity and who satisfy the Board that they possess the knowledge, experience or qualification necessary for the practice of architecture in that service.
- 4. Persons on the permanent staff of the University of the West Indies or other institution in Jamaica approved by the Minister and who are engaged in a teaching or research capacity in architectural work or any branch thereof.

THIRD SCHEDULE

(Section 18 (2))

The Disciplinary Committee

- 1. The members of the Disciplinary Committee shall, subject to the provisions of this Schedule, hold office for such period not exceeding two years as the Board may determine and shall be eligible for re-appointment.
- 2.—(1) The Board shall appoint one of the members of the Committee to be the Chairman thereof.
- (2) The Chairman of the Committee shall preside at all meetings of the Committee and if at any meeting he is absent or unable to act, the members present and constituting a quorum shall elect from among themselves a member to act as Chairman in respect of that meeting.
- 3. The Board may appoint any person who would be eligible for appointment as a member of the Committee in accordance with subsection (1) of section 18 to act temporarily in the place of any member of the Committee who, for whatever reason, is unable to perform his functions as a member of the Committee.

- 4.—(1) Any member of the Committee may at any time resign his office by instrument in writing addressed to the Chairman of the Board and from the date specified therein or, if no date is specified, the date of the receipt by the Chairman of the Board of such instrument such member shall cease to be a member of the Committee.
- (2) The Chairman of the Committee may at any time resign his office as Chairman by instrument in writing addressed to the Chairman of the Board and from the date specified therein or, if no date is specified, the date of the receipt by the Chairman of the Board of such instrument such Chairman shall cease to be Chairman of the Committee.
- 5. The Board may at any time revoke the appointment of the Chairman or any other member of the Committee.
- 6. The names of all members of the Committee as first constituted and every change in membership thereof shall be published in the *Gazette*.
- 7.—(1) The Committee shall meet at such times as may be necessary or expedient for the transaction of business and such meetings shall be held at such places and times and on such days as the Committee shall determine.
- (2) The quorum of the Committee shall be such number as is two less than the full complement of the Committee.
- (3) Subject to the provisions of this Schedule and to any rules made by the Board, the Committee shall have power to regulate its own proceedings.
- (4) The validity of any proceedings of the Committee shall not be affected by any vacancy among the members thereof or by any defect in the appointment of any member thereof.