

JAMAICA

No. 4 - 2005

I assent,

[L.S.]

(Sgd) H. F. Cooke
Governor-General.

February 28, 2005

AN ACT to Amend the Architects Registration Act.

[March 1, 2005]

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. This Act may be cited as the Architects Registration (Amendment) Act, 2005, and shall be read and construed as one with the Architects Registration Act, hereinafter referred to as the principal Act.

Short title
and
construction.

2. Section 2 of the principal Act is amended by—

- (a) renumbering the section as subsection (1) of the section;
- (b) deleting from subsection (1) as renumbered the definitions of "authorized organization", "member of an organization", and "organization";

Amendment
of section 2
of principal
Act.

- (c) inserting in subsection (1) as renumbered in the correct alphabetical sequence the following definitions—

“ “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;”;

“ “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;”;

- (d) inserting therein the following as subsection (2)—

“ (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 immigration.”.

Amendment
of section 9
of principal
Act.

3. Section 9 of the principal Act is amended—

- (a) by deleting paragraph (a) and substituting therefor the following—

“(a) that he is a national of Jamaica or of another Member State;”;

- (b) in paragraph (c) by—

(i) deleting the words “one or more of”;

(ii) inserting the word “or” at the end of subparagraph (1); and

(iii) deleting sub-paragraph (ii) and substituting therefor the following—

“(ii) that he has had at least two years practical experience in architectural work under the 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.”.

4. Section 11 of the principal Act is amended—

Amendment
of section 11
of principal
Act.

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

“(a) is not a national of a Member State;”;

(b) in subsection (2) by deleting the word “Jamaica” where it first appears and substituting therefor the words “a Member State”.

5. Section 13 of the principal Act is amended by deleting from paragraph (d) of subsection (1) the words “citizen of Jamaica” and substituting therefor the words “national of Jamaica or of any other Member State”.

Amendment
of section 13
of principal
Act.

6. Section 14 of the principal Act—

Amendment
of section 14
of principal
Act.

(a) in subsection (1) by deleting the words “or an authorized organization duly authorized under the provisions of section 16” and “or authorized organization” respectively; and

(b) in subsection (2) by deleting all the words following the word “architect”.

7. Section 15 of the principal Act is amended—

Amendment
of section 15
of principal
Act.

(a) in paragraph (a) of subsection (3) by deleting the words “or an authorized organization”; and

(b) in subsection (4)—

(i) by deleting from paragraph (a) the words “two thousand” and substituting therefor the words “two hundred and fifty thousand”; and

- (ii) by deleting from paragraph (b) the words “five thousand” and substituting therefor the words “five hundred thousand”.

Repeal and replacement of section 16 of principal Act.

8. Section 16 of the principal Act is repealed and the following substituted therefor—

“Organizations. 16. No organization shall be entitled to be registered under this Act.”.

Amendment of section 18 of principal Act.

9. Section 18 of the principal Act is amended by deleting from subsection (3) the words “or authorized organization”.

Amendment of section 19 of principal Act.

10. Section 19 of the principal Act is amended—

- (a) in subsection (1) by deleting the words “or organization” and “or authorized organization” wherever they appear;
- (b) in subsection (2)—
 - (i) by deleting the words “, as the case may be,” where they first appear; and
 - (ii) by deleting the words “five thousand” and substituting therefor the words “two hundred and fifty thousand”;
- (c) in subsection (3) by deleting the words “, as the case may be,”.

Amendment of section 20 of principal Act.

11. Section 20 of the principal Act is amended by deleting from subsection (1) the words “or organization”.

Amendment of section 21 of principal Act

12. Section 21 of the principal Act is amended by deleting the words “and authorized organizations” wherever they appear.

Amendment of section 22 of principal Act.

13. Section 22 of the principal Act is amended by deleting the words “or certificate of authorization”.

Amendment of section 23 of principal Act

14. Section 23 of the principal Act is amended by deleting from paragraph (e) the words “and authorized organizations”.

15. Insert next after section 23 the following as section 23A—

"Minister
may amend
penalties,
etc., by
order.

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

Insertion of
new section
23A.

16. The First Schedule to the principal Act is amended—

(a) by deleting sub-paragraph (1) of paragraph 1 and substituting therefor the following—

Amendment
of First
Schedule to
principal
Act.

“ (1) The Board shall consist of nine 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.”;

(b) by deleting from paragraph 3 the words “one month” and substituting therefor the words “three months”.

Passed in the House of Representatives this 7th day of December, 2004.

MICHAEL PEART
Speaker.

Passed in the Senate this 17th day of December, 2004 with two (2) amendments.

SYRINGA MARSHALL-BURNETT, C. D.
President.

On the 1st day of February, 2005 the House of Representatives agreed to the amendments made by the Senate.

MICHAEL 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.

Clerk to the Houses of Parliament.