

JAMAICA

No. 26 – 2002

I assent,

[L.S.]

H. F. COOKE,
Governor-General.

5th day of August, 2002.

AN ACT to Amend The National Honours and Awards Act.

[*5th August, 2002,*]

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 National Honours and Awards (Amendment) Act, 2002 and shall be read and construed as one with the National Honours and Awards Act (hereinafter referred to as the principal Act) and all amendments thereto.

Short title and construction.

2. Section 3 of the principal Act is amended—

Amendment of section 3 of principal Act.

(a) in subsection (1) by—

- (i) deleting the word "five" and substituting therefor the word "six";
- (ii) relettering paragraphs (c), (d) and (e) as paragraphs (d), (e) and (f);

(iii) inserting next after paragraph (b) the following as paragraph (c)—

" (c) the Order of Excellence;"

(b) in subsection (2) by deleting the words "and (e)" and substituting therefor the words ", (e) and (f)".

Amendment
of section 7 of
principal Act.

3. Section 7 of the principal Act is amended—

(a) in subsection (1) (a) by inserting next after the words "the Order of the Nation," the words "the Order of Excellence,"

and

(b) by inserting next after subsection (2) the following as subsection (3)—

" (3) Regulations made under this section may provide for the conferment of an Order under those regulations with effect from a date no earlier than the 1st day of December, 1962."

Amendment
of various
Regulations.
First
Schedule.

4.—(1) The Regulations specified in the first column of the First Schedule are amended in the manner specified in the second column thereof.

(2) The amendments specified in relation to the National Honours and Awards (Order of the Nation) Regulations, 1973, shall be deemed to have come into operation on the 26th day of June, 1973.

National
Honours and
Awards
(Order of
Excellence)
Regulations,
2002.
Second
Schedule.

5. The National Honours and Awards (Order of Excellence) Regulations, 2002 are set out in the Second Schedule.

FIRST SCHEDULE

(Section 4)

<u>Regulations</u>	<u>Amendments</u>
The National Honours and Awards (Order of Merit) Regulations, 1970	Delete from regulation 21 the word "twenty" and substitute therefor the words "one thousand".
The National Honours and Awards (Order of Jamaica) Regulations, 1970	Delete from regulation 21 the word "twenty" and substitute therefor the words "one thousand".
The National Honours and Awards (Order of Distinction) Regulations, 1970.	Delete from regulation 23 the word "twenty" and substitute therefor the words "one thousand".
The National Honours and Awards (Medal of Honour) (Jamaica Defence Force) Regulations, 1970	Delete from regulation 12 the word "twenty" and substitute therefor the words "one thousand".
The National Honours and Awards (Medal of Honour) (Jamaica Constabulary Force and Island Special Constabulary Force) Regulations, 1970.	Delete from regulation 12 the word "twenty" and substitute therefor the words "one thousand".
The National Honours and Awards (Medal of Honour) (Fire Brigades) Regulations, 1970	Delete from regulation 11 the word "twenty" and substitute therefor the words "one thousand".
The National Honours and Awards (Badge of Honour) Regulations, 1970	Delete from regulation 14 the word "twenty" and substitute therefor the words "one thousand".
The National Honours and Awards (Order of National Hero) Regulations, 1970	Delete from regulation 9 the word "twenty" and substitute therefor the words "one thousand".
The National Honours and Awards (Medal of Honour) (Jamaica Prisons Service) Regulations, 1970	Delete from regulation 11 the word "twenty" and substitute therefor the words "one thousand".

Regulations

The National Honours
and Awards (Order of
the Nation) Regulations,
1973

Amendments

1. Renumber regulation 11 as paragraph (1) and insert next thereafter the following as paragraph (2)—
 - " (2) The Chancellor, on the advice of the Governor-General, may notify in the *Gazette* the conferment of the honour of the Order upon any person who has been appointed as Prime Minister of Jamaica, not being a person upon whom the Order of National Hero has been conferred; and thereafter the Chancellor shall issue to such person an appropriate instrument in writing and the date of the conferment of the honour shall be specified therein."
2. Renumber regulation 12 as paragraph (1) and insert next thereafter the following as paragraph (2)—
 - " (2) The honour of the Order may be conferred pursuant to regulation 11(2) with effect from such date as the Governor-General shall determine, not being earlier than the 1st of December, 1962."
3. In regulation 16—
 - (a) insert in paragraph (1) (b) immediately after the words "Prime Minister" the words "or the Governor-General, as the case may require";
 - (b) insert in paragraphs (2) and (3)—
 - (i) immediately after the words "appears to the

Regulations

Amendments

- Prime Minister" the words "or the Governor-General, as the case may require,";
- (ii) immediately after the words "the Prime Minister" the words "or the Governor-General.";
- (c) insert in paragraph (4) immediately after the words "Prime Minister" the words "or the Governor-General, as the case may require".
4. Delete from regulation 18 the word "twenty" and substitute therefor the words "one thousand".

SECOND SCHEDULE

(Section 5)

NATIONAL HONOURS AND AWARDS ACT

The National Honours and Awards (Order of Excellence)
Regulations, 2002

1. These Regulations may be cited as the National Honours and Awards (Order of Excellence) Regulations, 2002.
2. The Order of Excellence (hereinafter referred to as the Order) shall consist of members of the Order.
3. The Order shall be conferred upon the advice of the Prime Minister.
4. Subject to regulation 16, every person upon whom has been conferred the honour of the Order shall be a member of the Order.
5. The Governor-General shall be the Chancellor of the Order and shall, as holder of his office as Chancellor be responsible for the administration of the Order.
6. The Secretary-General of the Order shall be such person as the Chancellor shall designate; he shall maintain the records of the Order, arrange for investitures and perform such other functions in relation to the Order as the Chancellor may from time to time require him to perform.
7. The Chancellor may appoint such other officials for the Order as he thinks fit.
8. The motto of the Order shall be "Excellence through Service".
9. The seal of the Order shall bear the design of the insignia of the Order which shall be of such description as may be notified by the Chancellor in the *Gazette*.
10. The Chancellor may from time to time by notification in the *Gazette* specify the occasions and the manner in which the insignia of the Order shall be worn.
- 11.—(1) The seal shall be kept in the custody of the Chancellor and, subject to paragraph (2) of this regulation and regulation 14, shall be affixed to such instruments as the Chancellor may determine.
(2) The seal of the Order shall be affixed to the instrument issued to any person with respect to the conferment on such person of the honour of the Order or depriving such person of the honour.

12. The Chancellor, on the advice of the Prime Minister may notify in the *Gazette* the conferment of the honour of the Order upon—

- (a) any foreign Head of State or foreign Head of Government; and
- (b) any foreign former Head of State or foreign former Head of Government,

and thereafter the Chancellor shall issue to such person an appropriate instrument in writing and the date of the conferment of the honour shall be specified therein.

13. Members of the Order shall be invested by the Chancellor with the insignia of the Order, but where the Chancellor thinks it necessary so to do he may by warrant sealed with the seal of the Order—

- (a) authorize some distinguished person to perform in his name the ceremony of investiture; or
- (b) permit the ceremony of investiture to be dispensed with.

14.—(1) Every member of the Order shall be entitled—

- (a) to wear, as a decoration, the insignia of the Order;
- (b) to be styled “the Most Honourable”;
- (c) to have the letters “O.E.” placed after his name on all occasions when the use of such letters is customary.

(2) A member of the Order may wear a miniature replica of the insignia, which shall be not larger than one-half of the size of the insignia.

15. In Jamaica a member of the Order shall wear the insignia of the Order in front of the insignia of all the Jamaican Orders and decorations.

16.—(1) A person shall cease to be a member of the Order—

- (a) upon his resignation from the Order, which shall have effect from the date on which such resignation in writing is accepted by the Chancellor; or
- (b) upon being deprived of the honour by the Chancellor, acting upon the advice of the Prime Minister.

(2) Where it appears to the Prime Minister that there is cause to consider whether any person should be deprived of the honour of the Order, the Prime Minister may ask the Advisory Committee established under section 5 of the Act to inquire into the matter and make recommendations to him.

(3) The Chancellor, on the advice of the Prime Minister, may restore the honour of the Order to any person who is deprived thereof.

17.—(1) Where any person ceases to be a member of the Order by reason of his resignation or of his having been deprived of the honour, it shall be notified in the *Gazette* by the Secretary-General and his name shall be erased from the register and he shall forthwith return the insignia of the Order to the Secretary-General.

(2) Where a member of the Order dies, the insignia of the Order which he held may be retained by his family.

18. Any person who—

- (a) not being a member of the Order, wears the insignia of the Order or any other decoration so nearly resembling it as to be calculated to deceive; or
- (b) falsely represents himself to be a person who is or was entitled to wear such insignia; or
- (c) without lawful authority or excuse supplies or offers to supply such insignia to any person not authorized to wear it,

shall be guilty of an offence and shall be liable on summary conviction before a Resident Magistrate to a fine not exceeding one thousand dollars and in default of payment to imprisonment for a term not exceeding one month."

