

M O N T S E R R A T

NATIONAL HONOURS AND AWARDS ACT 2013

No. 4 of 2013

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I ASSENT

Adrian Davis (Sgd.)
Governor

DATE: 15.4.13

M O N T S E R R A T

No. 4 of 2013

AN ACT TO PROVIDE FOR THE GRANTING OF NATIONAL HONOURS AND AWARDS, NATIONAL YOUTH AWARDS AND FOR RELATED MATTERS.

BE IT ENACTED by The Queen's Most Excellent Majesty, by and with the advice and consent of the Legislative Assembly of Montserrat and by the authority of the same as follows:—

PART 1—PRELIMINARY

1 Short title

This Act may be cited as the National Honours and Awards Act, 2013.

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2 Interpretation

In this Act—

“**Committee**” means the National Honours and Awards Committee established under section 4;

“**Montserratian**” has the meaning assigned in section 107(2) of the Montserrat Constitution Order 2010;

“**Premier**” means the person appointed as such under section 33(1) of the Montserrat Constitution Order 2010; and

“**Secretary**” means the Secretary to the National Honours and Awards Committee.

PART 2—NATIONAL HONOURS AND AWARDS

3 Establishment of Honours and Awards

- (1) There is established the following national honours and awards—
 - (a) the Order of National Hero;
 - (b) the Order of Excellence;
 - (c) the Order of Distinction; and
 - (d) the Order of Merit.
- (2) The honours and awards mentioned in subsection (1) have the rank and precedence in the order in which they appear.
- (3) The Order of National Hero is the highest award and is granted to a Montserratian who, by exceptional and extraordinary service, has changed the course of the country and significantly transformed the lives of Montserratians.
- (4) The Order of Excellence is awarded to a Montserratian—
 - (a) who, by extraordinary and unwavering commitment and devoted and distinguished service has

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- contributed significantly to the development of
Montserrat and positively projected its image; or
- (b) for exceptional achievements in any field or discipline at the national, regional or international level.
- (5) The Order of Distinction is awarded to a Montserratian who—
- (a) in any field, has given distinguished and outstanding service; or
 - (b) has attained remarkable achievement at the national level or made remarkable contribution on a national level.
- (6) The Order of Merit is awarded to a Montserratian for meritorious contribution to national development in the field of arts, science, commerce, sports, education, governance, philanthropy, community service or any related area.

4 National Honours and Awards Committee

- (1) There is a National Honours and Awards Committee, which consists of a Chairperson and six other members who must be persons of integrity and high public standing.
- (2) The Premier must appoint—
 - (a) the Chairperson of the Committee, after consultation with the Leader of the Opposition;
 - (b) 3 members of the Committee, in accordance with the advice of the Leader of the Opposition; and
 - (c) 3 members of the Committee, acting in his own discretion.
- (3) In the process of consultation with the Leader of the Opposition for the appointment of the Chairperson, the Premier must use his best endeavours to secure the agreement of the Leader of the Opposition.

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- (4) The Second Schedule has effect as to the tenure of and procedure to be followed by the Committee and otherwise in relation to the Committee.

5 Duties of the Committee

It is the duty of the Committee, with a view to the proper carrying out of the provisions of this Act—

- (a) to receive and consider nominations for honours and awards;
- (b) to make investigations as it thinks fit to determine persons, living or dead, upon whom may be conferred the honours and awards under this Act;
- (c) to prepare a list of recommendations for the conferment of honours and awards; and
- (d) to undertake any other duty in relation to this Act as may be assigned by the Premier.

6 Secretary of the Committee

- (1) There is a Secretary to the Committee, who is appointed by the Premier, but the Secretary is not a member of the Committee.
- (2) The Secretary must—
 - (a) maintain records of all honours and awards conferred under this Act;
 - (b) record the minutes of each meeting in proper form
 - (c) arrange for investitures; and
 - (d) perform any other function as the Committee may direct.

7 Nominations for conferment of honours and awards

A person may nominate a person for the bestowal of an honour or award and the nomination must be submitted in writing to the Secretary of the Committee for consideration by the Committee.

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8 Conferment of honours and awards

- (1) The Premier may, at a public ceremony, confer the honour and awards in section 3(1) on persons who are, under section 3(3), (4), (5) and (6), deemed by the Committee to be worthy of the honours and awards.
- (2) The honour of national hero may be conferred upon a person posthumously or during his lifetime and where the honour is to be granted posthumously, it may be conferred upon a person appearing on behalf of the national hero.
- (3) The name of every person upon whom an honour or award has been bestowed must be published in the *Gazette*.

9 Wearing of the insignia

A person upon whom an honour or award has been conferred is entitled to wear as a decoration the prescribed insignia or medal relating to the honour or award conferred upon him.

10 Tokens of recognition

Despite any other enactment, the Premier, in consultation with Cabinet, may —

- (a) with money made available for the purpose by the Legislative Assembly, purchase, or in the case of Crown land, reserve any land and construct on it a park, garden or other place dedicated as a token of recognition to a national hero or to national heroes and may, in accordance with a resolution of the Legislative Assembly, name the park, garden or other place accordingly;
- (b) provide for the subscription to, and the production and erection of, any monument, statue, plaque, memorial or other token of recognition of a national hero;

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- (c) name or rename any public building, structure or other Crown property, or any place or locality or physical or geographical feature, in recognition of a national hero; and
- (d) take any other action as he considers appropriate to recognise a national hero for his service to Montserrat.

11 Times of grant of honours and awards

Honours and awards granted under this Act may be made once a year, on a day to be determined by the Premier.

12 Unauthorised use of insignia etc

A person who—

- (a) without lawful authority uses or wears any insignia, medal or decoration supplied or authorised in connection with any honour or award conferred under this Act, or any insignia, medal or decoration so nearly resembling the same as to be calculated to deceive;
- (b) falsely represents himself to be a person who is or has been entitled to use or wear the insignia, medal or decoration; or
- (c) without lawful authority or excuse, supplies or offers to supply the insignia, medal or decoration to a person not authorised to use or wear it,

commits a summary offence and is liable to a fine of \$1,000.

13 Abuse in connection with the grant of honours

(1) A person who—

- (a) accepts;
- (b) obtains;
- (c) agrees to accept; or
- (d) attempts to obtain,

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from another person for himself or for any other person for any purpose, any gift, money or valuable consideration as an inducement or reward for procuring or assisting or endeavouring to procure the grant of an honour or award under this Act to any person or otherwise in connection with the grant, commits a summary offence.

- (2) A person who gives or agrees or proposes to give or offer to another person any gift, money or valuable consideration as an inducement or reward for procuring or assisting or endeavouring to procure the grant of an honour or award under this Act, or otherwise in connection with the grant, commits a summary offence.
- (3) A person who commits an offence under this section is liable to a fine of \$2,000.

14 Revocation of honour or award

The Committee may revoke the honour or award granted to a person if the person—

- (a) commits an offence under section 12(c); or
- (b) engages in any act that, in the opinion of the Committee, brings the honours system into disrepute.

PART 3—NATIONAL YOUTH AWARDS

15 Definitions

For the purposes of this Part—

“**award**” means a National Youth Award and may take the form of a trophy, plaque, medal or certificate; and

“**Committee**” means the National Youth Awards Selection Committee.

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16 Establishment of National Youth Awards

- (1) There is established the National Youth Awards, recognizing achievement in the following areas—
 - (a) sports;
 - (b) academics;
 - (c) leadership;
 - (d) entrepreneurship;
 - (e) arts and culture;
 - (f) music and entertainment;
 - (g) philanthropy or community service;
 - (h) religious involvement; or
 - (i) any other related area.
- (2) The award for sports is conferred on a Montserratian who has achieved merited success in any sport, on a national, regional or international level, including—
 - (a) record performance at any level;
 - (b) consistent outstanding performances; or
 - (c) global or international recognition.
- (3) The award for academics is conferred on a Montserratian for outstanding academic achievement, who has—
 - (a) completed all Caribbean Examinations Council (CXC), SAT or other related examinations with outstanding grades;
 - (b) completed all units of advanced level examinations or attained a College Diploma with a distinction;
 - (c) completed undergraduate studies with first class honours; or
 - (d) completed postgraduate studies with a distinction or attained international recognition from his thesis.
- (4) The award for leadership is conferred on a Montserratian who has demonstrated outstanding leadership qualities on

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a national, regional or international level and has made significant impact.

- (5) The award for entrepreneurship is conferred on a Montserratian who has distinguished himself as a person with the necessary business acumen to—
 - (a) operate a successful business;
 - (b) generate employment; or
 - (c) successfully expand his business or demonstrates the ability to expand.
- (6) The award for success in the arts or culture is conferred on a Montserratian who has performed meritoriously or contributed significantly to the development of the visual, performing, literary or culinary arts or culture in Montserrat or attained success on a regional or international level.
- (7) The award for success in music and entertainment is conferred on a Montserratian who has contributed significantly to the development of music and entertainment in Montserrat and has demonstrated outstanding achievement in this field, including—
 - (a) the achievement of international or regional recognition; or
 - (b) the establishment of prospects of signing with an international label.
- (8) The award for philanthropy or community service is conferred on a Montserratian who has demonstrated outstanding and consistent voluntary service relevant to youth and community development and has—
 - (a) consistently served voluntarily for at least 5 years; and
 - (b) significantly and positively impacted a target group.
- (9) The award for religious involvement is conferred on a Montserratian who has demonstrated true diligence to his religious beliefs and shows commitment to his religious background and has—

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- (a) been involved in religious practice at a leadership level;
 - (b) inspired his peers to subscribe to religious practice; and
 - (c) demonstrated outstanding knowledge of his religious beliefs.
- (10) An award may be conferred on a Montserratian who has contributed to national development or attained national, regional or international recognition in any area other than those listed in subsection (1).

17 Eligibility for award

The recipient of an award must be at least 10 years of age, but not exceeding 30 years of age and must be a Montserratian.

18 Nomination for award

A person may nominate another person for receipt of an award using the form set out in the Fourth Schedule.

19 National Youth Awards Selection Committee

- (1) There is a National Youth Awards Selection Committee, which consists of the following 9 members appointed by the Premier—
- (a) the Youth Development Officer, which is the Chairperson of the Committee;
 - (b) President of the National Youth Council/Premier of the National Youth Parliament;
 - (c) Director of Culture;
 - (d) Director of the Ministry of Education;
 - (e) Youth Ambassador representative;
 - (f) Christian Council representative;
 - (g) Sports Department representative;
 - (h) Business Community representative; and

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- (i) Community Services representative.
- (2) A member of the Committee, other than an *ex-officio* member under subsection (1)(a), (b), (c) and (d) is appointed for a period of two years and is only eligible for re-appointment on one more occasion.
- (3) A member of the Committee, other than an *ex-officio* member under subsection (1)(a), (b), (c) and (d), may resign his office by instrument in writing, addressed to the Premier and transmitted through the Chairperson, and from the date of the receipt by the Premier of the instrument, the member ceases to be a member of the Committee.
- (4) If a vacancy occurs in the membership of the Committee, the vacancy must be filled by the appointment of another member who holds the office for the remainder of the period for which the previous member was appointed.
- (5) The appointment under subsection (4) must be made from the same category of persons, if any, as the appointment of the previous member.
- (6) The names of all members of the Committee as first constituted and every change in membership must be published in the *Gazette*.
- (7) The procedure to be followed by the Committee is set out in the Third Schedule.

20 Functions of the Committee

It is the duty of the Committee to—

- (a) ensure transparency in the selection process;
- (b) review and consider all nominations submitted for receipt of an award;
- (c) prepare a shortlist of candidates to be interviewed;
- (d) conduct the necessary background research to establish authenticity of supporting documents;
- (e) conduct interviews with all shortlisted candidates;

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- (f) select the best candidate to be awarded from the interviewed candidates;
- (g) prepare a list of awardees;
- (h) prepare citations to be read at a public awards ceremony; and
- (i) undertake any other duty in relation to this Act.

21 National Youth Awards Selection Committee Secretary

- (1) There is a Secretary to the Committee, who is appointed by the Premier.
- (2) The Secretary must—
 - (a) maintain records of all awards conferred under this Act;
 - (b) record the minutes of each meeting in proper form; and
 - (c) perform any other functions as the Committee may direct.

22 Grant of award

- (1) The Premier must, at a public awards ceremony, bestow an award upon a recipient the Committee deems worthy of the award.
- (2) The public awards ceremony in subsection (1) may only be held once during any year, on a date designated by the Premier, by Order.
- (3) The name of a person who is in receipt of an award must be published in the *Gazette*.

PART 4—MISCELLANEOUS

23 Confidentiality of deliberations

- (1) The deliberations of the Committees established in sections 4 and 19 pertaining to the selection of the recipient of an honour or award is confidential and a

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member who breaches this confidentiality is liable to removal from the Committee and is not eligible for reappointment.

- (2) Where the member who commits the breach is an *ex-officio* member under section 19(1)(a), (b), (c) or (d), the Premier may—
- (a) revoke the appointment of the member for two years; and
 - (b) appoint another member until the expiration of the period in paragraph (a).

24 Regulations

- (1) The Premier may make regulations for the better carrying out of the purpose and provisions of this Act and in particular, but without prejudice to the generality of the foregoing, may make regulations providing—
- (a) for medals, badges and other awards for the purposes of this Act and their form;
 - (b) for the insignia of each of the Orders and awards referred to in section 3;
 - (c) for investitures in relation to the honours and awards referred to in section 3, the motifs, insignia and regalia of each order;
 - (d) for the wearing of insignia, regalia, medals and badges issued in relation to an honour or award under this Act and for any other right or privilege appurtenant to the conferment of the honour or award;
 - (e) for the prevention of abuse in the wearing of insignia, regalia, medals and badges issued in relation to an honour or award under this Act, or in assuming any style or title assigned to the honour or award.
- (2) No regulations made under this section has effect unless it receives the prior approval of the Legislative Assembly, signified by resolution.

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25 Protection of honours and awards by Her Majesty

Nothing in this Act has the effect of establishing, or may be construed as establishing a system for the grant of honours or awards by or on behalf of Her Majesty, nor does this Act in any way affect the prerogative of Her Majesty in respect of honours and awards.

FIRST SCHEDULE

(section 3)

1. The Order of National Hero

- (1) The motto of the Order of National Hero is “*He who sacrificed for the greater good of the territory*”.
- (2) The Order of National Hero must be awarded in gold.
- (3) The Order of National Hero may be awarded to no more than 2 persons on the institution of the Order and no more than 2 persons may be awarded in any successive year.
- (4) A person to whom the Order of National Hero is awarded is entitled to—
 - (a) have the letters “ONH” placed after his name on all occasions when the use of the letters is customary;
 - (b) wear as a decoration the insignia prescribed for recipients of the Order of National Hero; and
 - (c) the use of “The Most Excellent” before his name.
- (5) When worn in Montserrat, the Order of National Hero must be worn as a pendant from a riband and attached to the left breast of the outer garment and takes precedence over all other decorations except the Most Excellent Order of the British Empire.

2. The Order of Excellence

- (1) The motto of the Order of Excellence is “*In honour of extraordinary accomplishments*”.
- (2) The Order of Excellence must be awarded in gold.
- (3) The Order of Excellence may be awarded to no more than 3 persons on the institution of the Order and no more than 2 persons may be awarded in any successive year.
- (4) A person to whom the Order of Excellence is awarded is entitled to—

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- (a) have the letters “OE” placed after his name on all occasions when the use of the letters is customary; and
 - (b) wear as a decoration the insignia prescribed for recipients of the Order of Excellence; and
 - (c) the use of “The Right Honourable” before his name.
- (5) When worn in Montserrat, the Order of Excellence must be worn as a pendant from a riband and attached to the left breast of the outer garment and takes precedence over all other decorations except the Most Excellent Order of the British Empire and the Order of National Hero.

3. The Order of Distinction

- (1) The motto of the Order of Distinction is “*Achieving high standards*”.
- (2) The Order of Distinction must be awarded in silver.
- (3) The Order of Distinction may be awarded to no more than 5 persons on the institution of the Order and no more than 3 persons may be awarded in any successive year.
- (4) A person to whom the Order of Distinction is awarded is entitled to—
 - (a) have the letters “OD” placed after his name on all occasions when the use of the letters is customary; and
 - (b) wear as a decoration the insignia prescribed for recipients of the Order of Distinction.
- (5) When worn in Montserrat, the Order of Distinction must be worn as a pendant from a riband and attached to the left breast of the outer garment and takes precedence over all other decorations except the Most Excellent Order of the British Empire, the Order of National Hero and the Order of Excellence.

4. The Order of Merit

- (1) The motto of the Order of Merit is “*Serving the territory beyond measure*”.

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- (2) The Order of Merit must be awarded in bronze.
- (3) The Order of Merit may be awarded to no more than 6 persons on the institution of the Order and no more than 3 persons may be awarded in any successive year.
- (4) A person to whom the Order of Merit is awarded is entitled to—
 - (a) have the letters “OM” placed after his name on all occasions when the use of the letters is customary; and
 - (b) wear as a decoration the insignia prescribed for recipients of the Order of Merit.
- (5) When worn in Montserrat, the Order of Merit must be worn as a pendant from a riband and attached to the left breast of the outer garment and takes precedence over all other decorations except the Most Excellent Order of the British Empire, the Order of National Hero, the Order of Excellence and the Order of Distinction.

SECOND SCHEDULE

(section 4)

**TENURE AND PROCEDURE OF THE NATIONAL HONOURS AND
AWARDS COMMITTEE**

1. Subject to this Schedule, the appointment of a member of the Committee (including the Chairperson) is for a period not exceeding 3 years and a member is eligible for re-appointment.
2. (1) A member of the Committee, other than the Chairperson, may resign his office by instrument in writing, addressed to the Premier and transmitted through the Chairperson, and from the date of the receipt by the Premier of the instrument, the member ceases to be a member of the Committee.
(2) The Chairperson may at any time resign his office by instrument in writing, addressed to the Premier and the resignation takes effect from the date of receipt of the instrument by the Premier.
3. (1) If a vacancy occurs in the membership of the Committee, the vacancy must be filled by the appointment of another member, who, subject to this Schedule, holds the office for the remainder of the period for which the previous member was appointed.
(2) The appointment under subparagraph (1) must be made in the same manner and from the same category of persons, if any, as the appointment of the previous member.
4. The names of all members of the Committee as first constituted and every change in membership must be published in the Gazette.
5. The validity of the proceedings of the Committee is not affected by any vacancy among the members or by any defect in the appointment of a member.

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6. The Committee must meet at a time convenient or expedient for the transaction of business and at a place it deems fit.
7. The Chairperson must preside at meetings of the Committee and in the case of his absence from any meeting, the members present must elect one from among their number to preside at that meeting.
8. The decisions of the Committee must be by a majority of votes of the members present and voting and, in addition to an original vote, the Chairperson or any other person presiding at the meeting has a casting vote in any case in which the voting is equal.
9. The quorum of the Committee is four members.
10. Subject to this Schedule, the Committee has the power to regulate its own proceeding and may delegate to any member or committee the power and authority to carry out on behalf of the Committee any duties as the Committee may determine.
11. Any expenses incurred by the Chairperson and other members of the Committee in the performance of their duties must be paid out of the money provided for the purpose by the Legislative Assembly.

THIRD SCHEDULE

(section 19(7))

**PROCEDURE OF THE NATIONAL YOUTH AWARDS SELECTION
COMMITTEE**

1. The validity of the proceedings of the Committee are not affected by any vacancy among the members or by any defect in the appointment of a member.
2. The Committee must meet at a time convenient or expedient for the transaction of business and at a place it deems fit.
3. The Chairperson must preside at meetings of the Committee and in the case of his absence from any meeting, the members present must elect one from among their number to preside at that meeting.
4. The decisions of the Committee must be by a majority of votes of the members present and voting and, in addition to an original vote, the Chairperson or any other person presiding at the meeting has a casting vote in any case in which the voting is equal.
5. The quorum of the Committee is five members, one of which must be the Youth Ambassador representative.
6. Subject to this Schedule, the Committee has the power to regulate its own proceeding.
7. Any expenses incurred by the Chairperson and other members of the Committee in the performance of their duties must be paid by the Ministry of Youth Affairs, Community Services and Sports.

FOURTH SCHEDULE



**MONTSERRAT NATIONAL YOUTH AWARDS
NOMINATION FORM**

The Montserrat National Youth Awards is a catalyst for showcasing Montserratian excellence among its youth annually. It serves as the highest recognition conferrable on Montserradians by Montserrat, for participation and outstanding achievement in the areas of sports, academics, leadership, entrepreneurship, arts and culture, music and entertainment and spiritual involvement.

Entries for the National Youth Awards close on _____.

Awards will be presented at the National Youth Awards Ceremony on _____.

1. Details of nominee

Name:

Address:

Telephone:

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Email Address:

Gender: Male Female

Date of Birth:

Age:

2. Details of person lodging nomination

Name:

Organisation (if relevant):

Address:

Telephone:

Email Address:

3. Award for recognition in:

(Select one only)

- Sports
- Academics
- Leadership
- Entrepreneurship
- Arts and Culture
- Music and Entertainment
- International/Regional Achievements
- Religious Involvement
- Youth in Service

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4. Grounds for nomination

Please support the nomination by writing a short paragraph in relation to the achievement of the person nominated.

I have ensured that the nominee meets the guidelines for eligibility

Nominator's Signature: **Date:**

For Official Use Only

Date nomination received:

Date Interviewed:

Supporting documents submitted:

Nomination approved:

Comments:

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HOW TO COMPLETE A NOMINATION

1. Complete the nomination form attached
2. Include any supporting material, including:
 - a. Certified copies of:
 - i. documents evidencing the achievements of the nominee
 - ii. birth certificate or copy of passport details of the nominee
 - b. One (1) passport/ID size photo
 - c. One (1) 5 x 7 photo portraying professional image
 - d. Two (2) letters of reference; one evidencing character and another of professional integrity

3. Completed nominations must be submitted to:

**Ministry of Education, Youth Affairs, and Sports
Brades
Montserrat
Tel: 664 491 5703/5701
Fax: 664 491 6780
Email: myacts@gov.ms**

4. Completed nominations must be submitted between the hours of 8am - 4pm Monday to Friday.
5. Nomination forms and further information are available online at www.gov.ms, or at the Ministry responsible for Youth Affairs, Office of the Premier, Legislative Assembly or the Montserrat Public Library.

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GUIDELINES FOR ELIGIBILITY

- A nominee must be a resident of Montserrat.
- A nominee must be between the ages of 10-30 years to qualify for a National Youth Award.
- A nominee must have excelled locally, regionally or internationally or contributed to national development in one of the following areas:
 - Sports
 - Academics
 - Leadership
 - Entrepreneurship
 - Arts and Culture
 - Music and Entertainment
 - International/Regional Achievements
 - Religious Involvement
 - Youth in Service
 - Any other related area

Teresina Bodkin (Sgd.)

SPEAKER

Passed the Legislative Assembly this 5th day of March, 2013.

Judith Baker (Sgd.)

CLERK OF LEGISLATIVE ASSEMBLY