

LAWS OF DOMINICA

CARIBBEAN EXAMINATIONS COUNCIL ACT

CHAPTER 28:07

Act
3 of 1984
Amended by
12 of 1990

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**Note
on
Subsidiary Legislation**

This Chapter contains no Subsidiary Legislation.

CHAPTER 28:07

CARIBBEAN EXAMINATIONS COUNCIL ACT

ARRANGEMENT OF SECTIONS

SECTION

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SCHEDULE.

CHAPTER 28:07**CARIBBEAN EXAMINATIONS COUNCIL ACT**

3 of 1984. **AN ACT to provide for the implementation of an agreement for the operation of the Caribbean Examinations Council and to give effect to the provisions of the agreement, as well as to provide for the establishment of the Caribbean Examinations Council as a statutory corporation in the Commonwealth of Dominica, and for matters connected therewith or incidental thereto.**

Commencement. [22nd March 1984]

Short title. 1. This Act may be cited as the –

CARIBBEAN EXAMINATIONS COUNCIL ACT.

Interpretation. 2. In this Act –

“Agreement” means the agreement for the establishment of the Caribbean Examinations Council set out in the Schedule;

“Council” means the Caribbean Examinations Council;

“Minister” means the Minister responsible for Education.

Council to be a body corporate.

3. The references in Article VIII of the Agreement that the Council shall possess full juridical personality shall be construed as meaning that the Council shall be a body corporate with power to do all things necessary for the purpose of this Act.

Acceptance of the Agreement.

4. Subject to this Act, the Council as organised in the Agreement is hereby established.

Privileges of the Council.

5. The Council shall be entitled to the following privileges:

- (a) any direct imports to be used for the purpose of the Council shall be exempt from duty;
- (b) the Council shall be entitled to the same facilities relating to postal franking as any Government Department in respect of its mail to any of its agencies; and
- (c) officers and servants of the Council shall be entitled to engage in any official duty within the Commonwealth of Dominica without work permits.

6. Article VII of the Agreement shall have the force of law in Dominica.

Financial arrangements of the Agreement given force of law.

7. (1) Except with the written consent of the Minister, no person shall use the name "Caribbean Examinations Council" or any name so nearly resembling it as to be likely to deceive in connection with any trade or business.

Restrictions of use of name.

(2) Any person who contravenes subsection (1) is guilty of an offence and liable on summary conviction to a fine of one thousand dollars and to imprisonment for twelve months.

8. If any dispute arises between the Council and the Government, such dispute shall be submitted to arbitration in such manner as may be agreed to by the Governments of the Territories who are parties to the Agreement and accordingly the Arbitration Act shall not apply to such dispute.

Arbitration.
[12 of 1990].

Ch. 4:50.

9. (1) Where any amendment to the Agreement is accepted by the Government, the Minister may, by Order published in the *Gazette*, amend the Schedule in accordance with such amendment.

Amendment of the Schedule and consequential matters.

(2) Any Order made under subsection (1) may contain such consequential, supplementary or ancillary provisions as may appear to the Minister to be necessary or expedient for the purpose of giving due effect to such amendment and, without prejudice to the generality of the foregoing matters, may contain provisions amending references in this Act to specific provisions of the Agreement.

(3) Every Order made under subsection (1) shall be subject to negative resolution of the House of Assembly.

(4) Where the Schedule is amended pursuant to subsection (1), any reference in this Act or in any other written law shall, unless the context otherwise requires, be construed as a reference to the Agreement so amended.

10. The Aliens Land Holding Regulations Act shall not apply to the Council.

Exemption.
[12 of 1990].
Ch. 18:51.