

THE PUBLIC BROADCASTING CORPORATION OF
JAMAICA ACT

REGULATIONS
(*under section 3(2)*)

The Public Broadcasting Corporation of Jamaica Regulations, 2002

L.N. 92B/2002

ORDER
(*under section 11(2)*)

The Public Broadcasting Corporation of Jamaica (Vesting of Assets of
Jamaica Broadcasting Corporation) Order, 2006

L.N. 59A/2006

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OF JAMAICA ACT

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THE PUBLIC BROADCASTING CORPORATION OF JAMAICA
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(Made by the Minister on the 4th day of July, 2002)

L.N. 92B/2002

1. These Regulations may be cited as the Public Broadcasting Corporation of Jamaica Regulations, 2002. Citation.

2.—(1) The Corporation shall consist of seventeen members as specified in paragraphs (2) and (3). Constitution of Corporation.

(2) The Permanent Secretary in the Ministry responsible for information or his nominee and the Chief Executive Officer of the Corporation shall be members of the Corporation *ex officio*.

(3) The other fifteen members (hereinafter referred to as appointed members) shall be appointed by the Governor-General of whom—

(a) seven members shall be representatives of the organizations specified hereunder, appointed from a panel of fourteen persons nominated by such organizations in accordance with paragraph (4)—

- (i) the National Council on Education;
- (ii) the Rastafarian Centralization Organization;
- (iii) the Providers of Community-based Radio Services;
- (iv) the National Council for Sports;
- (v) the Jamaica Cultural Development Commission;
- (vi) the Professional Society of Jamaica;
- (vii) the Joint Trade Union Research Development Council;

(b) three members shall be representatives of the organizations and entity specified hereunder appointed from a panel of six persons nominated in accordance with paragraph (4)—

- (i) women's organizations;
- (ii) non-governmental organizations;
- (iii) the private sector;

- (c) one member shall be a person between the ages of eighteen and twenty-five, appointed from a panel of two persons nominated by the National Students Council;
 - (d) two members shall be appointed from a panel of six persons representing—
 - (i) the Jamaica Council of Churches;
 - (ii) the Church of God in Jamaica;
 - (iii) the Full Gospel Ministerial Fellowship;
 - (iv) the Seventh Day Adventist;
 - (v) the United Pentecostal Union (Apostolic);
 - (vi) the Jamaica Association of Evangelicals (including the Missionary Church);
 - (e) one member shall be an employee of the Corporation nominated by the employees of the Corporation;
 - (f) one member shall be a representative of media practitioners appointed from a panel of two persons nominated by the Press Association of Jamaica and the Jamaica Film and Video Producers Association.
- (4) Each organization or entity specified in paragraph (3)(a) and (b) shall nominate two persons whose names shall be entered on the respective panel.
- (5) For the purposes of paragraph (3)(f), “media practitioner” means a person who is engaged in the profession of journalism in the print or electronic media and includes—
- (a) a person who is a news crewman, cameraman, graphic artist, technical editor or photo-journalist; and
 - (b) an owner or operator of a media company who is involved in the production and dissemination of news and information on a daily or regular basis in that media company.

Appointment
of chairman.

3.—(1) The Governor-General shall appoint a chairman and a deputy chairman from amongst the appointed members of the Corporation.

(2) In the case of absence or inability to act of the chairman, the deputy chairman shall perform the functions of chairman.

(3) In the case of the absence or inability to act of both the chairman and the deputy chairman, the Governor-General may appoint any other member of the Corporation to perform the functions of the chairman or, as the case may be, the deputy chairman during such absence or inability.

4.—(1) The appointment of every appointed member shall be by instrument in writing and shall, subject to the provisions of these Regulations, be for a period not exceeding three years. Tenure of office.

(2) Every appointed member of the Corporation shall be eligible for reappointment so, however, that no member shall, at any time, be appointed for more than two consecutive terms.

(3) Subject to paragraph (4), the Governor-General may at any time revoke the appointment of the chairman and any other appointed member if he thinks it expedient so to do.

(4) Before taking action under paragraph (3) to revoke the appointment of a member appointed under regulation 2(3), the Governor-General shall consult with the organization or entity which nominated that member.

(5) If any vacancy occurs in the membership of the Corporation such vacancy shall be filled by the appointment of another member who shall, subject to the provisions of these Regulations, hold office for the remainder of the period for which the previous member was appointed, so, however, that the Governor-General shall, before making such appointment, consult with the organization or entity which nominated the previous member.

5. The Governor-General may appoint any person to act temporarily in the place of an appointed member in the case of the absence or inability to act of that member, after consultation with the organization or entity which nominated that member. Temporary appointment.

6.—(1) Any appointed member, other than the chairman, may at any time resign his office by instrument in writing addressed to the Governor-General and transmitted through the chairman, and from the date of receipt by the Governor-General of such instrument, that appointed member shall cease to be a member of the Corporation. Resignations.

(2) The chairman may at any time resign his office by instrument in writing addressed to the Governor-General, and such resignation shall take effect as from the date of receipt by the Governor-General of such instrument.

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

8.—(1) The seal of the Corporation shall be kept in the custody of the chairman or the secretary and shall be affixed to instruments pursuant to a Seal and execution of documents.

resolution of the Corporation, in the presence of the chairman or any other member of the Corporation and the secretary.

(2) The seal of the Corporation shall be authenticated by the signatures of the chairman or a member of the Corporation authorized to act in that behalf by the Corporation, and the secretary.

(3) All documents other than those required by law to be under seal, made by and all decisions of, the Corporation may be signified under the hand of the chairman or any other member authorized to act in that behalf by the Corporation.

Service of
documents.

9. Any summons, notice or other document required, or authorized to be served upon the Corporation under the provisions of this Act or any law may, unless in any case there is express provision to the contrary, be served by delivering the same to the chairman or secretary, or by sending it by registered post addressed to the secretary at the principal office of the Corporation.

Remuneration of
members.

10. There shall be paid from the funds of the Corporation to the chairman, deputy chairman and other members of the Corporation such remuneration (whether by way of honorarium, salary or fees) and such other allowances as the Minister may determine.

Power to
appoint Chief
Executive
Officer, etc.

11.—(1) The Corporation may appoint and employ at such remuneration and on such terms and conditions as it thinks fit a Chief Executive Officer, Secretary and other officers, employees and agents as it thinks necessary for the proper carrying out of its functions.

(2) The Chief Executive Officer shall be appointed for a period not exceeding four years in the first instance as may be specified in the instrument of appointment and shall be eligible for re-appointment.

(3) No salary in excess of the prescribed rate per annum shall be assigned to any post without the prior approval of the Minister and no appointment shall be made to any post to which salary in excess of such prescribed rate is assigned without the prior approval of the Minister.

(4) In paragraph (3) the prescribed rate means a rate of five hundred thousand dollars per annum or such higher rate as the Minister may, by order, prescribe.

(5) The Governor-General may, subject to such conditions as he may impose, approve the appointment of any public officer in the service of the Government of Jamaica to any office with the Corporation and any public officer so appointed shall in relation to pension, gratuity or other