

JAMAICA

No. *11* – 2013

I assent,

[L.S.]

(Sgd.) P.L. Allen
Governor-General.

28th day of March, 2013

AN ACT to Validate and Confirm as lawful the purported continuation in office of the members of the Council for Professions Supplementary to Medicine and all official acts done by them, in good faith and inadvertent as to their not having been in compliance with the provisions of the Professions Supplementary to Medicine Act, in the purported exercise of the functions conferred upon them, during the period commencing on the 16th day of October, 2008 and ending on the 31st day of May, 2011; to indemnify the members of the Council and persons who are liable to be proceeded against on the ground that the acts were unauthorized, illegal or improper, from liability in relation thereto; and for connected matters.

WHEREAS the Council for Professions Supplementary to Medicine (hereinafter referred to as the “Council”) is established by section 3(1) of the Professions Supplementary to Medicine Act (hereinafter referred to as the “Act”);

[No.] *The Professions Supplementary to Medicine
(Validation and Indemnity of Council) Act, 2013*

AND WHEREAS paragraph 1 of the Second Schedule to the Act (hereinafter referred to as the "Second Schedule") provides that the Council shall consist of such number of members as shall be appointed by the Minister:

AND WHEREAS pursuant to paragraph 2 of the Second Schedule, the appointment of a member of the Council shall, subject to the provisions of that Schedule, be for a period not exceeding two years and such member shall be eligible for reappointment:

AND WHEREAS paragraph 8 of the Second Schedule specifies that the names of all members of the Council as first constituted and every change in the membership thereof shall be published in the *Gazette*:

AND WHEREAS the Minister pursuant to paragraph 1 of the Second Schedule appointed the members of the Council for a period of two years with effect from the 16th day of October, 2006 to the 15th day of October, 2008, and the names of the members were duly published in the *Gazette* on the 24th day of May, 2007:

AND WHEREAS the members of the Council (though eligible for reappointment) were not duly reappointed in accordance with the said paragraph 1 of the Second Schedule, but purported to continue to perform official acts beyond the two year period, specified by paragraph 2 of the Second Schedule, namely, during the period commencing on the 16th day of October, 2008 and ending on the 31st day of May, 2011:

AND WHEREAS the said members of the Council in performing official acts in the purported exercise of the functions conferred upon them, received emoluments relating to the offices of Chairman and members of the Council, respectively, during the period commencing on the 16th day of October, 2008 and ending on the 31st day of May, 2011:

AND WHEREAS it is desirable to validate and confirm as lawful, both the tenure of the members of the Council who purported to continue to perform official acts of the Council and the said acts of the Council in

respect of the period commencing on the 16th day of October, 2008 and ending on the 31st day of May, 2011:

[28th day of March, 2013]

NOW, THEREFORE, 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 Professions Supplementary to Medicine (Validation and Indemnity of Council) Act, 2013. Short title.

2.—(1) Notwithstanding paragraphs 1, 2 and 8 of the Second Schedule to the Professions Supplementary to Medicine Act and anything to the contrary in any other enactment— Validation and indemnity.

(a) the purported continuation in office of the members of the Council for Professions Supplementary to Medicine specified in the Schedule to this Act; and Schedule.

(b) all acts done by those members, in the purported exercise of the functions conferred upon them,

in good faith and inadvertent as to their continuation in office and acts not having been in compliance with the provisions of the Act, during the period commencing on the 16th day of October, 2008 and ending on 31st day of May, 2011, are hereby declared to have been validly, properly and lawfully made and done to all intents and purposes and with effect as if authorized pursuant to this Act.

(2) Every person liable to be legally proceeded against on the ground that any of the acts referred to in subsection (1) was unauthorized, unlawfully done, or otherwise illegal or improper, for any such reason, is hereby freed, acquitted, discharged and indemnified against the Queen's Most Gracious Majesty, Her Heirs and Successors as well as against all persons, whatever, from such liability.

SCHEDULE

(Section 2)

Dr. Owen James—Chairman
Dr. Georgia Beavers
Mrs. Helen Haughton Clennon
Mrs. Pauline Bryan Ellington
Mrs. Keris Harper
Mrs. Fleur Minott Nembhard
Mrs. Joan Rattray
Dr. Dipak Shah
Ms. Vanessa White
Mrs. Andrea Wray

Passed in the House of Representatives this 19th day of March 2013.

MICHAEL A. PEART
Speaker.

Passed in the Senate this 21st day of March 2013.

STANLEY ST. J. REDWOOD
President.

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.

/sgd./ H. E. Cooke.
Clerk to the Houses of Parliament.