

Passed the House of Representatives on
the 9th day of November, 2009.

Passed the Senate on the 16th day of
November, 2009.

D. Gisele Isaac-Arrindell,
Speaker.

Hazlyn M. Francis,
President.

T. Thomas,
Clerk to the House of Representatives.

T. Thomas,
Clerk to the Senate.



THE ENGINEERS (REGISTRATION) (AMENDMENT) ACT, 2009

No. 12 of 2009

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[Section 13]

THE ENGINEERS (REGISTRATION) (AMENDMENT) ACT, 2009

Fourth Schedule

ARRANGEMENT

Form 1

Sections

APPLICATION FOR LICENCE TO PRACTISE ENGINEERING

- 1. Short title.
- 2. Interpretation
- 3. Amendment of section 2. of Cap.153
- 4. Amendment of section 4-Engineers' Register
- 5. Amendment of section 5-Application for Registration
- 6. Amendment of section 9-Qualifications for registration
- 7. Amendment of section 10-Registration of certain existing practitioners
- 8. Amendment of section 13-Registration and licensing
- 9. Insertion of section 13A-Penalties
- 10. Amendment of the Schedule

(INITIAL APPLICANTS AND RENEWALS)

- 1. Name_____
- 2. Details of any change of name _____
- 3. Address: _____

- 4. Email address: _____
- 5. Telephone numbers – Home _____ Business _____
Cell _____
- 6. Date of registration as an engineer under the Engineers (Registration) Act

- 7. Details of continuing education courses taken in the last 5 years: _____

Signed

Applicant

(11) A person who receives a notice of revocation of a licence shall, on the date set out in the notice, cease to practise as an engineer.

(12) The Board shall provide to the Registrar, the name of a person whose licence has been revoked, and the Registrar shall publish in the *Gazette* and a local newspaper, a Notice indicating that the licence of the person has been revoked and that the person is not a licensed engineer in Antigua and Barbuda.

(13) The Board may, when there is a question of serious risk to the public, suspend the licence of an engineer while an investigation is carried out to ascertain whether the engineer's licence ought to be revoked or until the condition that created the risk no longer exists.

9. Insertion of section 13A

The principal Act is amended by inserting after section 13 the following section—

“13A Penalties

A person who contravenes a provision of this Act commits an offence, and where no penalty is expressly provided, is liable on summary conviction to a fine not exceeding ten thousand dollars or imprisonment for a term not exceeding one year.”

10. Amendment of the Schedule

1. The First Schedule to the principal Act is amended in clause 12 by inserting after the word “Chairman”, the words “the Registrar”.

2. The Schedule to the principal Act is amended by inserting a Fourth Schedule as follows—

13(1) A person shall not, unless the person is registered under this Act and holds a valid licence issued under this Act, in Antigua and Barbuda—

- (a) practise engineering;
- (b) recover fees for practising engineering; and
- (c) sign a certificate that, by law, is required to be signed by an engineer.

(2) A person who is registered as an engineer and who wishes to practise engineering in Antigua and Barbuda shall—

- (a) apply to the Board for a licence on Form 1. set out in the Fourth Schedule;
- (b) satisfy the Board that he meets the other requirements of this Act; and
- (c) pay the prescribed fee.

(3) The Board shall consider an application for a licence and shall inform the applicant, no later than 45 days after receipt of the application, whether or not the applicant meets the requirements of this Act.

(4) If the applicant meets the requirements of this Act, the Board shall issue a licence to practise Engineering to the applicant in Form 2. set out in the Fourth Schedule.

(5) If the Board is not satisfied that the applicant does not meet the requirements of this Act, the Board shall provide the reasons for the refusal to license the applicant and indicate to the applicant the steps that are required in order for the applicant to be eligible to be licensed.

(6) An Engineer licensed to practise engineering shall display the licence in a prominent position at his place of business.

(7) A licence to practise engineering is valid for one year unless revoked or suspended.

(8) An engineer applying for the renewal of a licence issued under this Act shall apply for a renewal of the licence on Form 1. set out in the Fourth Schedule no later than 30 days before the date on which the licence to practise engineering expires.

(9) The Board shall renew the licence of the applicant unless it is satisfied that the person no longer meets the requirements of this Act.

(10) If the holder of the licence contravenes a provision of this Act or the regulations or rules made under the Act the Board may revoke the licence to practise engineering by notice in writing, and shall specify the date on which the revocation takes effect.

[L.S.]



I Assent,

Louise Lake-Tack,
Governor-General.

21st December, 2009.

ANTIGUA AND BARBUDA

THE ENGINEERS (REGISTRATION) (AMENDMENT) ACT, 2009

No. 12 of 2009

ANACT to amend the Engineers (Registration) Act Cap.153 and for incidental and connected purposes.

ENACTED by the Parliament of Antigua and Barbuda as follows:

1. Short title

This Act may be cited as the Engineers (Registration) (Amendment) Act, 2009.

2. Interpretation

In this Act “the principal Act” means the Engineers (Registration) Act Cap.153

3. Amendment of section 2 of Cap 153

The principal Act is amended in section 2 by repealing the definition of “Registrar” and substituting the following:

“Registrar means the Registrar of Companies”;

4. Amendment of section 4.—Engineers' Register

The principal Act is amended by repealing section 4 and substituting the following section—

“4(1) The Registrar shall keep an Engineers' Register on which is listed—

- (a) the name and address of every person registered under this Act;
- (b) the date on which the person's name was first entered on the Engineers' Register;
- (c) a description of, and the date of—
 - (i) the qualification in respect of which he is registered, and
 - (ii) any higher degree or qualification held by the person that he has communicated to the Board; and
- (d) the address of the place of business of every person registered under this Act.”.

(2) The Board may, if it is satisfied that a name of a person appears on the Engineers' Register in error, remove the name of that person.

(3) The Board shall provide to the Registrar, the name of a person whose name has been removed from the Engineers' Register, and the Registrar shall publish, in the *Gazette* and a local newspaper, a Notice indicating that the name of the person was published in error and that the person is not a registered engineer in Antigua and Barbuda.”.

- (4) A person may, at a reasonable time and on payment of the prescribed fee
- (a) inspect the Engineers' Register; or
 - (b) obtain from the Board a certified copy of a portion of the Engineers' Register.

5. Amendment of section 5. Application for registration

The principal Act is amended by repealing section 5 and substituting the following section—

5(1) An applicant for registration as an Engineer in Antigua and Barbuda shall—

- (a) apply to the Board in writing;
- (b) fulfil the requirements of this Act to the satisfaction of the Board and possesses the prescribed qualifications and experience; and
- (c) pay the prescribed fee.

(2) An application under subsection (1) shall be accompanied by—

- (a) evidence of the applicant's identity in the form of a valid passport or driver's licence or another form of valid identification containing a photograph of the applicant and by which the applicant's identity can be verified;
- (b) proof of the qualifications of the applicant;
- (c) proof that the applicant is able to read, write, speak and understand the English language;
- (d) two letters of recommendation by persons of good standing in Antigua and Barbuda attesting to the applicant's good character and stating that the applicant is a fit and proper person to practise engineering in Antigua and Barbuda;
- (e) a certificate of good standing from another engineering registering body if the applicant is registered as an engineer in another State;
- (f) proof of work experience; and
- (g) any other relevant information.

(3) The Board shall consider an application for registration and shall inform the applicant, no later than 45 days after receipt of the application, whether or not the applicant meets the requirements of this Act.

6. Amendment of section 9. Qualifications for registration

The principal Act is amended in section 9 by repealing subparagraph 9 (d) (ii) and substituting the following—

- (ii) an engineering degree granted by another accredited educational institution that, in the opinion of the Board, is evidence of satisfactory training in engineering.

7. Amendment of section 10. Registration of certain existing practitioners

The principal Act is amended in section 10—

- (a) in subsection (1), by repealing the words “within one year of the commencement of this Act”; and
- (b) in paragraph (a) of subsection (1), by inserting after the word “position” the following words “and submits documentation indicating proof of work done in the relevant field”

8. Amendment of section 13. Registration and licensing

The principal Act is amended by repealing section 13 and substituting the following section—