

CHAPTER 39A

CARIBBEAN EXAMINATIONS COUNCIL (EXAMINATIONS)

ARRANGEMENT OF SECTIONS

SECTION

1. Short title.
2. Interpretation.
3. Unlawfully obtaining certain papers.
4. Restriction on use of certain papers.
5. Restriction on use of certain information.
6. Removal of certain papers from examination room.
7. Return of papers to Registrar or Police.
8. Disclosures by personnel of Council.
9. Entering examination after acquiring prior knowledge of questions.
10. Impersonation.
11. Forgery of documents.
12. General penalty.
13. Regulations.

CHAPTER 39A

**CARIBBEAN EXAMINATIONS COUNCIL
(EXAMINATIONS)**

An Act to provide for the protection of the integrity of examinations held by the Caribbean Examinations Council. 1978-26.

[17th August, 1978] Commence-
ment.

1. This Act may be cited as the Caribbean Examinations Council (Examinations) Act. Short title.

2. For the purposes of this Act— Interpretation.

“ Council ” means the body recognised by the Government as the Caribbean Examinations Council;

“ Registrar ” means the Registrar of the Council.

3. A person who, prior to an examination held by the Council, unlawfully procures possession of any paper prepared by the Council containing instructions to candidates or questions to be answered in that examination is guilty of an offence. Unlawfully obtaining certain papers.

4. (1) A person who, after procuring possession of a paper containing questions to be answered in, or instructions to candidates in connection with, an examination to be held by the Council— Restriction on use of certain papers.

- (a) permits that paper to be seen by any other person;
 - (b) gives or permits that paper to be given to any other person;
 - (c) discloses the contents of that paper to any other person;
 - (d) permits that paper or its contents to be used by any other person; or
 - (e) makes any other use of such paper or its contents,
- is guilty of an offence.

THE LAWS OF BARBADOS

(2) This section does not apply in respect of a paper given by an invigilator to a candidate at the time of an examination to which that paper relates.

Restriction on use of certain information.

5. A person who, after procuring possession of information respecting the contents of a paper referred to in section 3 or 4 but without obtaining possession of that paper—

- (a) gives that information to any other person;
- (b) permits that information to be given to any other person; or
- (c) makes any other use of that information,

is guilty of an offence.

Removal of certain papers from examination room.

6. A person who, without the consent of the Council, removes any examination paper or paper containing instructions to candidates from a room in which an examination is held by the Council is guilty of an offence.

Return of papers to Registrar or Police.

7. A person who obtains possession of any examination paper or paper containing instructions to candidates in connection with an examination to be held by the Council shall upon obtaining possession thereof return that paper to the Registrar or the nearest Police Station or make a reasonable effort to effect its return.

Disclosures by personnel of Council.

8. A person employed—

- (a) in the setting, examining, scoring, moderating, revising, vetting, printing, collecting, storing, distributing or keeping the custody of any examination paper;
- (b) in the making of a draft examination paper or of a paper containing instructions to candidates; or
- (c) as a supervisor or an examiner, invigilator, attendant or otherwise,

in connection with an examination held or to be held by the Council who, prior to or during that examination, knowingly or recklessly discloses to any other person the contents of such examination paper, draft examination paper or paper containing instructions to candidates is guilty of an offence.

9. A person who, after acquiring prior knowledge of any question set in connection with an examination held by the Council, presents himself as a candidate at that examination is guilty of an offence and liable on summary conviction to a fine of five hundred dollars or to imprisonment for six months or both.

Entering examination after acquiring prior knowledge of questions

10. A person who, for the purposes of an examination held by the Council, falsely represents himself to be another person is guilty of an offence.

Impersonation.

11. A person who forges, alters, offers, utters, disposes of or puts off, knowing the same to be forged or altered, any document purporting to show that a person has obtained a result in an examination held by the Council is guilty of an offence.

Forgery of documents.

12. A person guilty of an offence under this Act for which no other penalty is provided is liable on summary conviction to a fine of two thousand dollars or to imprisonment for twelve months or both.

General penalty.

13. The Council may make regulations generally for carrying into effect the provisions of this Act.

Regulations.