

LAWS OF GUYANA

*Caribbean Examinations Council
(Examinations)*

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CHAPTER 39:15

**CARIBBEAN EXAMINATIONS COUNCIL
(EXAMINATIONS) ACT**

ARRANGEMENT OF SECTIONS

SECTION

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AN ACT to provide for the protection of the integrity of examinations held by the Caribbean Examinations Council. 16 of 1990

[14TH JUNE, 1990]

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

2. In this Act— Interpretation.

“Council” means the Caribbean Examinations Council referred to in section 2(1) of the Caribbean Examinations Council Act; c. 39:12

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“examination paper” means a paper containing confidential information for candidates or questions to be answered in an examination being held or to be held by the Council, and includes a draft of such a paper;

“Registrar” means the Registrar of the Council and includes any public officer authorised by the Minister to discharge the functions of the Registrar under this Act.

Unlawfully
procuring
examination
paper.

3. No person shall, without the authorisation of the Registrar, procure possession or custody of an examination paper. A person who unlawfully procures possession or custody of an examination paper is guilty of an offence.

Restriction on
use of
examination
paper.

4. (1) A person having in his possession or custody an examination paper shall not, without the authorisation of the Registrar—

(a) permit that paper to be seen by any other person;

(b) subject to section 7, give or permit that paper to be given to any other person;

(c) disclose the contents of that paper to any other person;

or

(d) make any other use of that paper or its contents.

(2) A person contravening the provisions of this section is guilty of an offence.

Restriction on
use of certain
information.

5. (1) A person having in his possession information respecting the contents of an examination paper shall not, without the authorisation of the Registrar—

(a) give that information to any other person;

(b) permit that information to be given to any other person; or

(c) make any other use of that information.

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(2) A person contravening the provisions of this section is guilty of an offence.

6. A person who, without the authorisation of the Registrar, removes any examination paper from a room in which an examination is being held by the Council is guilty of an offence.

Removal of
examination
paper.

7. A person who comes into possession of an examination paper shall, unless otherwise authorised by the Registrar, surrender that paper to the Registrar or the nearest police station. Any person who fails, without reasonable excuse, to surrender that examination paper is guilty of an offence.

Surrender of
examination
paper.

8. (1) A person employed in the setting, examining, scoring, moderating, vetting, printing, collecting, storing, distributing, or keeping of the custody of any examination paper who, without the authorisation of the Registrar, discloses to any other person the contents thereof is guilty of an offence.

Disclosure by
employees of
Council.

(2) A person employed as a supervisor or an examiner, invigilator, attendant or otherwise in connection with an examination being held or to be held by the Council who, without the authorisation of the Registrar, discloses to any other person the contents of an examination paper is guilty of an offence.

(3) For the purposes of this section, “a person employed” includes a person engaged under a contract for services, a person who renders gratuitous service or a person who renders any service indirectly to the Council.

9. A person who, after acquiring knowledge of the contents of an examination paper, presents himself as a candidate at an examination to answer that paper without having disclosed to the Registrar the fact of his acquisition of such knowledge is guilty of an offence.

Restriction on
entering
examination.

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

Impersonation.

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Forgery of
documents.

11. A person who, forges or alters, or 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.

Penalty.
[6 of 1997]

12. A person guilty of an offence under this Act is liable on summary conviction to a fine of six thousand dollars and to imprisonment for a term of twelve months.

Regulations.

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