

2021-10-26

Bill as amended

OBJECTS AND REASONS

This Bill makes provision for the conferment of honours and decorations on persons who are deserving of recognition by virtue of their

- (a) extraordinary service to Barbados, the Caribbean, the Caribbean Diaspora or to humanity at large;
- (b) meritorious service or achievement in Barbados or a community within Barbados;
- (c) meritorious service or achievement in science, the arts, literature, sport, civic duties or any other endeavour worthy of national recognition;
- (d) meritorious work in the public service, fire, military, police, prison or other protective services or in any other similar field of endeavour;
- (e) meritorious humanitarian service to Barbados;
- (f) humanitarian, social, religious or educational contribution to the development of each parish in Barbados;
- (g) acts of conspicuous courage in circumstances of extreme peril;
- (h) acts of bravery in hazardous circumstances; or
- (i) attainment of a leadership position in a school, in respect of students.

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BARBADOS

A Bill entitled

An Act to make provision for the conferment of honours and decorations on persons who are deserving of recognition by virtue of their extraordinary and meritorious service to Barbados in various fields of endeavour or acts of bravery and for related purposes.

ENACTED by the Parliament of Barbados as follows:

PART I

PRELIMINARY

Short title

1. This Act may be cited as the *Barbados National Honours and Decorations Bill, 2021*.

Interpretation

2. In this Act,

“Advisory Council” means the National Honours and Decorations Advisory Council established under section 7;

“imperial award” means the Knight Grand Cross of the Order of St. Michael and St. George, Dame Grand Cross of the Order of St. Michael and St. George, Commander of the Order of the British Empire, Officer of the Order of the British Empire and Member of the Order of the British Empire;

“Letters Patent” means the Letters Patent Establishing the Order of Barbados, Letters Patent Instituting the Barbados Services Medal of Honour, and Letters Patent Instituting Barbados Bravery Decorations given under the Public Seal of Barbados at Bridgetown on the 25th day of July, 1980;

“Order” means the Order of Barbados constituted under section 4.

Purpose

3. This Act provides for the national honours and decorations to be conferred after Barbados becomes a republic.

PART II

NATIONAL HONOURS AND DECORATIONS

Establishment of honours and decorations

4.(1) There shall be a national Order of honours and decorations for Barbados to be known as the “Order of Barbados” which shall consist of the following:

- (a) Order of Freedom of Barbados;
- (b) Order of the Republic;
- (c) Gold Award of Achievement;
- (d) Trident of Excellence;
- (e) Barbados Service Award;
- (f) Barbados Services Medal of Honour;
- (g) Barbados Humanitarian Service Award;
- (h) The Pride of Barbados;
- (i) Prime Minister’s Award for Leadership.

(2) The Order shall comprise persons on whom honours or decorations have been conferred pursuant to

- (a) the *Order of Freedom of Barbados Act, 2019* (Act 2019-32);
- (b) the *Gold Award of Achievement Act*, Cap. 401;
- (c) the *Award of Pride of Barbados Act, 2019* (Act 2019-52);
- (d) the *Barbados Humanitarian Service Award Act, 2020* (Act 2020-33);
and
- (e) section 8 of this Act.

Chancellor

5.(1) The President shall be the Chancellor of the Order and shall be responsible for the administration of the following:

- (a) Order of the Republic;
- (b) Trident of Excellence;
- (c) Barbados Service Award;
- (d) Barbados Services Medal of Honour;
- (e) Barbados Bravery Decorations;
- (f) The Prime Minister's Award for Leadership.

(2) In the absence of the President, the person for the time being performing the functions of the office of the President shall discharge the functions of the Chancellor of the Order.

(3) The Chancellor,

- (a) shall appoint the Secretary to the Cabinet to be the Secretary of the Order; and
- (b) may appoint such other officials to assist in the administration of the Order as he considers necessary.

(4) A person is not a member of the Order by reason of the fact only that he is an official of the Order.

Duties of Secretary

6.(1) The Secretary of the Order shall

- (a) maintain the records of the Order;
- (b) maintain a register of all conferred honours and decorations;
- (c) maintain the records of the Advisory Council;

- (d) arrange investitures; and
 - (e) perform such other functions in respect of the Order as the Chancellor may from time to time direct.
- (2) The Secretary of the Order shall be the Secretary of the Advisory Council.

Advisory Council

7.(1) There shall be a National Honours and Decorations Advisory Council, to be known as the “Advisory Council” which shall consist of

- (a) a Chairman, who shall be a Minister nominated by the Prime Minister;
 - (b) the Head of the Public Service; and
 - (c) 3 other persons appointed by the Prime Minister, one of whom shall be appointed upon the advice of the Leader of the Opposition.
- (2) A member of the Advisory Council shall hold office for a period not exceeding 3 years from the date of appointment and is eligible for reappointment.
- (3) A vacancy in the membership of the Advisory Council shall not preclude the carrying out of its functions.
- (4) The Advisory Council shall
- (a) consider nominations of persons
 - (i) for appointment to the Order of the Republic;
 - (ii) to receive the Trident of Excellence;
 - (iii) to receive the Barbados Service Award;
 - (iv) to receive the Barbados Services Medal of Honour;
 - (v) to receive the Barbados Bravery Decorations;
 - (vi) to receive the Prime Minister’s Award for Leadership;
 - (b) make recommendations to the Prime Minister in relation to those nominations; and

- (c) advise the President on matters concerning the Order as the President may refer for consideration.

Seal for specified honours and decorations

8.(1) The Order shall have an official Seal in respect of the following honours and decorations:

- (a) Order of the Republic;
- (b) Trident of Excellence;
- (c) Barbados Service Award;
- (d) Barbados Services Medal of Honour;
- (e) Barbados Bravery Decorations;
- (f) Prime Minister's Award for Leadership.

(2) The Chancellor shall have the custody of the Seal.

Eligibility for specified honours and decorations

9.(1) A person who

- (a) was born in Barbados;
- (b) is a citizen of Barbados; or
- (c) is entitled to be registered as a citizen of Barbados,

is eligible to be appointed as a member of the Order.

(2) A person other than a citizen of Barbados is eligible to be appointed as an honorary member of the Order.

(3) The criteria for eligibility for the

- (a) Order of the Republic is set out in the *First Schedule*;
- (b) Trident of Excellence is set out in the *Second Schedule*;
- (c) Barbados Service Award is set out in the *Third Schedule*;

- (d) Barbados Services Medal of Honour is set out in the *Fourth Schedule*;
 - (e) Barbados Bravery Decorations is set out in the *Fifth Schedule*;
 - (f) Prime Minister's Award for Leadership is set out in the *Sixth Schedule*.
- (4) Notwithstanding subsection (2), a person may be conferred a Barbados Bravery Decoration where the person, not being a citizen of Barbados, has performed an act
- (a) in Barbados for which the decoration may be conferred under this Act;
or
 - (b) outside of Barbados for which the decoration may be conferred under this Act, being an act that merits recognition as an act in the interest of Barbados.

Nominations for appointment

10. Any person may submit to the Secretary for consideration of the Advisory Council a nomination of

- (a) a citizen of Barbados for appointment to the Order; or
- (b) a person other than a citizen of Barbados for appointment as an honorary member to the Order.

Time of appointment

11.(1) An appointment to the Order shall be made

- (a) once a year, on the 30th day of November; or
 - (b) on such other date as is prescribed by the Chancellor by order.
- (2) An honorary appointment to the Order may be made at any time in a year.

Publication

12. The names of those persons on whom an honour or decoration is conferred in accordance with this Act shall be published in the *Official Gazette*.

Cancellation of honours and decorations in form of medals

13.(1) Where a person on whom an honour or decoration, in the form of a medal or clasp, has been conferred

- (a) brings Barbados into disrepute; or
- (b) engages in dishonourable conduct,

the Chancellor may cancel that honour or decoration.

(2) Subject to subsection (1), where a medal or clasp is cancelled,

- (a) the name of the person on whom the medal or clasp was conferred shall be erased from the relevant register; and
- (b) the person shall, where applicable, return the medal or any clasp to the Secretary.

(3) Notwithstanding subsection (1), the Chancellor may restore the cancelled honour or decoration.

(4) Where the medal or clasp is restored, the Secretary shall re-enter the record of the medal or clasp into the relevant register.

Termination of membership

14.(1) A person does not cease to be a member or an honorary member of the Order by reason only of that person ceasing to be eligible to be appointed to the Order.

(2) A person ceases to be a member or an honorary member of the Order on

- (a) the death of that person;
- (b) resignation from the Order; or

(c) termination of the appointment of that person.

(3) An appointment that has been terminated may be restored.

(4) Where a person ceases, other than by death, to be a member or an honorary member of the Order, the person shall immediately return the insignia to the Secretary.

Resignation from the Order

15.(1) A person who wishes to resign from the Order shall submit a resignation in writing to the Chancellor.

(2) A person who is an honorary member of the Order and who no longer desires to be recognised as an honorary member shall notify the Chancellor in writing of his desire.

(3) A resignation or notice submitted in accordance with this section shall take effect from the day on which the person is informed of the acceptance of the resignation or notice, as the case may be.

Order of Freedom of Barbados

16. The award of the Order of Freedom of Barbados may be conferred by the President in accordance with the *Order of Freedom of Barbados Act, 2019* (Act 2019-32).

Gold Award of Achievement

17. The award of the Gold Award of Achievement may be conferred by the President in accordance with the *Gold Award of Achievement Act, Cap. 401*.

Barbados Humanitarian Service Award

18. The award of the Barbados Humanitarian Service Award may be conferred by the President in accordance with the *Barbados Humanitarian Service Award Act, 2020* (Act 2020-33).

The Pride of Barbados Award

19. The award of The Pride of Barbados may be conferred by the President in accordance with the *Award of Pride of Barbados Act, 2019* (Act 2019-52).

Insignia

20.(1) The Chancellor shall determine the manner in which the insignia of the Order shall be worn.

(2) A person on whom an honour or a decoration is conferred is entitled to wear the insignia for that honour or decoration.

(3) Except as provided by regulations, the insignia of the Order shall remain the property of the Order.

(4) With effect from the 30th day of November, 2021, insignia for the Order shall not contain any reference to the “Crown”.

Honours conferred on groups

21. The Chancellor may confer any honour or decoration under the Order on any group of persons and the provisions of

- (a) the *Order of Freedom of Barbados Act, 2019* (Act 2019-32);
- (b) the *Gold Award of Achievement Act, Cap. 401*;
- (c) the *Award of Pride of Barbados Act, 2019* (Act 2019-52);
- (d) the *Barbados Humanitarian Service Award Act, 2020* (Act 2020-33);
and
- (e) this Act,

shall apply *mutatis mutandis*.

PART III

IMPERIAL HONOURS AND IMPERIAL DECORATIONS

Letters Patent

22.(1) With effect from the 30th day of November, 2021, no appointments, awards or decorations shall be conferred pursuant to the Letters Patent.

(2) Notwithstanding subsection (1),

(a) all appointments, awards or decorations conferred prior to the 30th day of November, 2021 pursuant to the Letters Patent shall continue to be acknowledged as validly conferred; and

(b) all holders of appointments, awards or decorations conferred pursuant to the Letters Patent shall be deemed to be members of the Order.

Recognition of Imperial Awards

23. All imperial awards conferred prior to the 30th day of November, 2021 by Her Majesty the Queen, Elizabeth the Second, shall continue to be acknowledged as validly conferred.

PART IV

MISCELLANEOUS

Regulations

24.(1) The Chancellor may make regulations to generally give effect to the provisions of this Act.

(2) Regulations made under subsection (1) shall be subject to affirmative resolution.

Amendment of Schedules

25.(1) The Chancellor may amend the *Schedules* by order.

(2) All orders made pursuant to this section shall be subject to affirmative resolution.

Amendment of Order of Freedom of Barbados Act, 2019 (Act 2019-32)

26. The *Order of Freedom of Barbados Act* (Act 2019-32) is amended by inserting immediately after section 8 the following new section:

“President to be member of Order

8A.(1) The Order of Freedom of Barbados shall be conferred on each President at the commencement of the term of office.

(2) The President shall continue to be a member of the Order notwithstanding demission or retirement from office.”.

Commencement

27. This Act shall come into operation on the 30th day of November, 2021.

FIRST SCHEDULE

(Section 9(3)(a))

Order of the Republic

1.(1) Appointments to the Order of the Republic may be made for distinguished national achievement and merit.

(2) Notwithstanding subparagraph (1), a distinguished person who is not a citizen of Barbados may be conferred an honorary appointment to the Order of the Republic where it is desirable that the person be so honoured by Barbados.

2.(1) Not more than 5 persons may be appointed to the Order of the Republic on the coming into force of this Act, other than as an honorary member of the Order of the Republic, and thereafter, not more than 3 persons may be appointed in any year.

(2) There shall be no more than 50 persons, holding appointments to the Order of the Republic other than honorary members.

3.(1) A person appointed to the Order of the Republic is entitled

(a) to have the letters “OR” placed after his or her name on all occasions when the use of letters after a name is customary;

(b) to wear as a decoration the prescribed insignia for the Order of the Republic.

(2) A person appointed to the Order of the Republic is entitled to use the title “The Honourable” before his or her name immediately on publication of the award.

SECOND SCHEDULE

(Section 9(3)(b))

Trident of Excellence

- 1.(1) The Trident of Excellence may be conferred on a person for highly meritorious service or achievement in science, the arts, literature, sport, civic duties or any other endeavour, worthy of national recognition.
- (2) Notwithstanding subparagraph (1), a distinguished person who is not a citizen of Barbados may be conferred an honorary Trident of Excellence where it is desirable that the person be so honoured by Barbados.
2. The Trident of Excellence may be conferred on a person, in either of the grades, in order of preference, of
 - (a) Gold Trident of Excellence; or
 - (b) Silver Trident of Excellence.
3. Not more than 5 persons, other than honorary holders, may be conferred a Trident of Excellence in each of the 2 grades in any year.
4. A holder of the Trident of Excellence is entitled
 - (a) to have the letters “GTE”, if appointed to the Gold Trident of Excellence, and the letters “STE”, if appointed to the Silver Trident of Excellence, placed after his or her name on all occasions when the use of the letters after a name is customary; and
 - (b) to wear as a decoration the prescribed insignia for holders of the Trident of Excellence.

THIRD SCHEDULE

(Section 9(3)(c))

Barbados Service Award

- 1.** The Barbados Service Award shall be conferred on a person for meritorious work in the public, fire, military, police, prison or other protective services or in any other similar field of endeavour.
- 2.** The Barbados Service Award may be conferred on a person, in either of the grades, in order of preference, of

 - (a)* Barbados Service Star; or
 - (b)* Barbados Service Medal.
- 3.** Not more than 7 persons may be conferred the Barbados Service Award in each of the 2 grades in any year.
- 4.** A holder of the Barbados Service Award is entitled to have the letters

 - (a)* “BSS”, if appointed to the Barbados Service Star; and
 - (b)* “BSM”, if appointed to the Barbados Service Medal,

placed after his or her name on all occasions when the use of letters after a name is customary.

FOURTH SCHEDULE

(Section 9(3)(d))

Barbados Services Medal of Honour

1. The following persons are eligible to receive the Barbados Services Medal of Honour:

- (a)* members of the Barbados Defence Force;
- (b)* members of the Barbados Police Service;
- (c)* members of the Barbados Fire Service;
- (d)* members of the Barbados Prison Service.

2. The Barbados Services Medal of Honour may not be conferred on a person unless that person

- (a)* is 18 years or older; and
- (b)* has served diligently and has been of exemplary conduct
 - (i)* for a continuous period of 15 years in one of the capacities listed in paragraph 1; or
 - (ii)* in 2 or more of those capacities for successive periods amounting in the aggregate to not less than 15 years.

3. A clasp to the Barbados Services Medal of Honour may be conferred after the completion of a further continuous period of service of 10 years in any of the capacities mentioned in paragraph 1, and an additional clasp may be conferred after the completion of each further period of 5 years' continuous service.

4. The conferment of the Barbados Services Medal of Honour or a clasp to the medal may be made by the Chancellor on the recommendation of

- (a) the Chief of Staff of the Barbados Defence Force, in the case of a member of the Barbados Defence Force;
- (b) the Commissioner of Police, in the case of a member of the Barbados Police Service;
- (c) the Chief Fire Officer, in the case of a member of the Barbados Fire Service; and
- (d) the Superintendent of Prisons, in the case of a member of the Barbados Prison Service,

as may be determined by the head of the Ministry responsible for the particular service.

FIFTH SCHEDULE

(Section 9(3)(e))

Barbados Bravery Decorations

- 1.** The Barbados Star of Gallantry may be conferred for acts of conspicuous courage in circumstances of extreme peril.
- 2.** The Barbados Bravery Medal may be conferred for acts of bravery in hazardous circumstances.

SIXTH SCHEDULE

(Section 9(3)(f))

Prime Minister's Award for Leadership

Each Head Boy and Head Girl of a school in Barbados shall be entitled to the Prime Minister's Award for Leadership in recognition of their attainment of a leadership position in school.

Read three times and passed the House of Assembly this
day of _____, 2021.

Speaker

Read three times and passed the Senate this _____ day of
, 2021.

President