

JAMAICA

IN THE COURT OF APPEAL

**BEFORE: THE HON MISS JUSTICE EDWARDS JA
THE HON MISS JUSTICE SIMMONS JA
THE HON MR JUSTICE BROWN JA**

MISCELLANEOUS APPEAL NO COA2022MS00008

**BETWEEN DENVAN CODNER APPELLANT
AND LAND SURVEYORS BOARD OF JAMAICA RESPONDENT**

Orane Nelson and Miss Racquel Willis instructed by Thomwill Law for the appellant

Ms Annaliesa Lindsay, Ms Karessiann Gray and Ms Rochelle Duncan instructed by the Director of State Proceedings for the respondent

7 November 2023

Endorsement read by Edwards JA

After hearing submissions in this appeal brought by Denvan Codner, who is a student land surveyor, challenging the decision of the Land Surveyors Board of Jamaica to refuse to issue him with a commission as a land surveyor, for a period of three years, with effect from 13 May 2022, we determined that:

- I. In keeping with the jurisdiction of this court, pursuant to section 25 of the Land Surveyors Act, upon a review of the Board's decision on sanction and their reason therefor, we conclude that the period of three years is excessive and ought to have been no more than two years, in all the circumstances; and
- II. In the result, the decision of the Land Surveyor's Board of Jamaica refusing to issue the student surveyor Denvan Codner with a commission as a Land Surveyor for three years is set aside and a period of two years is substituted therefor. The period is to run from 13 May 2022.