

**ANTIGUA AND BARBUDA**



**DEFENCE (AMENDMENT) ACT, 2021**

**No. 18 of 2021**

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**ANTIGUA AND BARBUDA**  
**DEFENCE (AMENDMENT) ACT, 2021**  
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[ L.S.]



I Assent,

**Rodney Williams,**  
*Governor-General.*

27th August, 2021.

**ANTIGUA AND BARBUDA**  
**DEFENCE (AMENDMENT) ACT, 2021**  
**No. 18 of 2021**

**AN ACT** to amend the Defence Act 2006 and for other connected purposes.

**ENACTED** by the Parliament of Antigua and Barbuda as follows:

**1. Short title**

This Act may be cited as the Defence (Amendment) Act, 2021.

**2. Interpretation**

In this Act, “principal Act” means the Defence Act, 2006.

**3. Amendment of section 91 – Charges against officers and warrant officers**

Section 91 of the principal Act is amended by inserting after subsection (5) the following new subsection –

“(6) Notwithstanding subsection (3), where the appropriate superior authority on summary trial finds the accused guilty and awards a fine or stoppages, or where a finding of guilty involves a forfeiture of pay, the appropriate superior authority shall not record a finding until after the accused

is afforded an opportunity of electing to be tried by court-martial, and if the accused so elects, the appropriate superior authority shall not record a finding, but shall have the charge tried by court-martial.”

**4. Amendment of section 230 – Execution of orders, instruments, etc.**

The principal Act is amended by repealing section 230 and replacing it as follows –

“230. Execution of orders, instruments etc.

(1) Unless otherwise prescribed by regulations, any order, determination, direction or appointment required or authorised to be made under this Act by any military officer or authority may be signified under the hand of any officer authorised in that behalf; and any instrument signifying such order, determination, direction or appointment and purporting to be signed by an officer stated herein to be so authorised shall, unless the contrary is proved, be deemed to be signed by an officer so authorised.

(2) The Chief of Defence Staff, or a unit Commander from an independent sub unit or a Commander of any Corps or Regiment with the approval of the Chief of Defence Staff, may issue Standing Orders for his command.”

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Passed by the House of Representatives  
on this 27th day of June, 2021.

**Gerald Watt, Q.C.,**  
*Speaker.*

**Rosemarie Smith – Weston,**  
*Acting Clerk to the House of Representatives.*

Passed by the Senate on  
This 19th day of July, 2021.

**Alicia Williams - Grant,**  
*President.*

**Rosemarie Smith – Weston,**  
*Acting Clerk to the Senate.*