

GIVEN under our Hand this ..... day of..... 19 .....

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CHAIRMAN  
NATIONAL SECURITY COUNCIL

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MEMBER  
NATIONAL SECURITY COUNCIL

S.I. 45/1984

**DEFENCE (PAY) REGULATIONS**

(SECTION 205)

*[Commencement 20th September, 1984]*

Citation.

**1.** These Regulations may be cited as the Defence (Pay) Regulations.

Interpretation.

**2.** (1) In these Regulations, unless the context otherwise requires and subject to paragraph (2) —

“officer” means a member of the Defence Force of the rank of midshipman or above;

“pay” includes basic pay, technical qualification pay, additional qualification pay and hazard and general allowances;

“rank” for the purposes of pay, shall include acting rank;

“warrant officer” has the same meaning as in the Defence (Regular Force Enlistment and Service) Regulations and the Defence (Reserve) Regulations.

(2) References in these Regulations to officers, warrant officers and marines do not include a person serving in the Defence Force by virtue of a contract between that person and the Government of The Bahamas.

Time barred claims.

**3.** Except in such exceptional cases as may be approved by the Minister, no claims shall be admitted for pay or other pecuniary advantage granted by these Regulations relating to any period more than six years before the date of the claim.

**4** Except where otherwise provided, no person shall be entitled to claim any pay or other pecuniary advantage conferred by any provision of these Regulations in the event of such provision being at any time added to, varied or cancelled.

Revision of terms.

**5.** The pay of officers, warrant officers and marines shall be issued monthly in arrear, save in the case of recruits when it may be paid weekly in arrear.

Issue of pay.

**6.** (1) The pay of an officer on first appointment or on promotion shall begin from the date of his appointment, or promotion as published in the *Gazette*.

Commencement of pay.

(2) The pay of a marine on enlistment or promotion shall begin from the date of his enlistment or promotion as published in Ministry of Defence Circulars.

(3) An officer, warrant officer or marine of the Reserve shall be paid as provided in regulation 14.

**7.** The pay and other pecuniary advantages granted by these Regulations to an officer, warrant officer or marine may, at the discretion of the Minister or an officer authorised by him, be paid to the wife or other dependants of any officer, warrant officer or marine who is a prisoner of war or is missing in circumstances which do not justify presumption of his death or absence without leave, and a receipt given by the person to whom payment has been made shall be sufficient discharge.

Earnings may be paid to wife or dependants.

**8.** (1) The Minister may, if so requested by an officer, warrant officer or marine and on the recommendation of Commander Defence Force, make the officer, warrant officer or marine an advance of one month's basic pay on the following occasions —

Advance of pay.

- (a) on his first entering the Defence Force;
- (b) on grounds of an emergency in his family or for urgent medical reasons concerning him;
- (c) not more often than once each year when he takes leave.

(2) Pay advanced under paragraph (1) shall be repaid within six months, save for advances under subparagraph (c) of that paragraph which shall be repaid in the month following the month for which pay was advanced.

Calculation of pensions.

**9.** (1) Unless the Minister decides otherwise, pay shall continue during absence from duty owing to sickness or injury at the rate and for the period set out in paragraphs (2) and (3), provided that in the opinion of the Medical Officer to the Defence Force, there is a reasonable prospect that the officer, warrant officer or marine will become fit for duty within one year from the commencement of the absence.

(2) Where the absence is not attributable to service duty, full pay shall continue to be paid for the first month of such absence, after which it shall be reduced to seven-eighths of full pay for a further five months, and thereafter it shall be further reduced to one-half of full pay for a further six months.

(3) Where the absence is attributable to service duty, full pay shall continue for up to twelve months from the commencement of the absence.

(4) The opinion of the Minister to the Defence Force as to whether sickness or injury is attributable to service duty shall be conclusive.

Service reckoning for increase or pay.

**10.** Service reckoning for promotion under the Defence (Officers) Regulations and the Defence (Regular Force Enlistment and Service) Regulations, or, in the case of Reserve, under Security Council Instructions, shall reckon full increments of pay.

Cession of pay.

**11.** Pay shall cease —

- (a) on the date of resignation or retirement of an officer or on the date an officer's commission or service is terminated;
- (b) on the termination of service or date of discharge of a warrant officer or marine;
- (c) on the death of an officer, warrant officer or marine;
- (d) on the date of a sentence of death, imprisonment, or dismissal with or without disgrace from the Defence Force.

Rates of pay.

**12.** (1) Pay shall be at such rates as the Minister shall from time to time specify and publish in Ministry of Defence Circulars.

(2) The qualifications required for technical qualification pay and additional qualification pay shall be those laid down by the Minister.

**13.** Technical qualification pay and additional qualification pay shall cease to be paid when an officer, warrant officer or marine no longer meets the qualification standard laid down by the Minister or voluntarily relinquishes the appropriate qualification.

Cessation or additional pay.

**14.** Members of the Reserve shall be paid for every day they are undergoing training or called out on temporary or permanent service and shall receive, while so employed, the same rates of pay as those laid down for members of the Regular Force of corresponding rank, seniority and service.

Members of the Reserve, rates of Pay.

## **DEFENCE (PENSIONS AND GRATUITIES) REGULATIONS**

*S.I. 46/1984*

### (SECTION 205)

*[Commencement 20th September, 1984]*

**1.** These Regulations may be cited as the Defence (Pensions and Gratuities) Regulations.

Citation.

**2.** (1) In these Regulations unless the context otherwise requires and subject to paragraph (2) —

Interpretation.

“officer” means a member of the Defence Force of the rank of midshipman or above;

“pay” includes technical qualification pay, additional qualification pay and allowances;

“pensionable emoluments” means the amount of pay received by an officer, warrant officer or marine in the final month of his service;

“permanent partial disablement” means such disablement as is of a permanent nature and which reduces the earning capacity of an officer, warrant officer or marine in every employment which he is capable of undertaking;

“permanent total disablement” means such disablement as is of a permanent nature and which incapacitates an officer, warrant officer or marine for any employment in the Defence Force or elsewhere;