

Loss of all toes of one foot	20	
Loss of one phalanx of thumb	10	
Loss of index finger	10	
Loss of great toe	10	
Loss of any finger other than index finger	5	
in the case of any injury not specified above		such percentage of the compensation payable in the case of permanent total disablement as is proportionate to the loss of earning capacity caused by the injury. Such loss of earning capacity shall be determined by the Minister on the advice of the Defence Force Medical Officer.

S.I. 48/1984

DEFENCE (MISCELLANEOUS) REGULATIONS

(SECTION 203)

[Commencement 20th September, 1984]

Citation.

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

Low flying.

2. (1) For the purposes of section 48 of the Defence Act, flying at less than the height above ground or water level prescribed in paragraph (2), or such other minimum height as shall be laid down by the aircraft operating authority, is prohibited, except —

- (a) when taking off, landing, preparing to land, or making a forced landing;
- (b) when necessitated by the weather;
- (c) when required in connection with exercises involving co-operation from the ground or water;
- (d) when necessitated by the mission;
- (e) when specially authorised by an officer empowered by higher authority to authorise flights; and
- (f) when authorised by, and carried out for training purposes over areas approved by the Minister.

- (2) The prescribed height shall be —
- (a) in the case of fixed wing aircraft —
- (i) having an all-up weight over 12,500 pounds — 2,000 feet, and
- (ii) having an all-up weight of 12,500 pounds or less — 1,000 feet; and
- (b) in the case of helicopters — 500 feet.

3. Where a person in custody is committed into civil custody for temporary detention in accordance with section 187(1) of the Act, the orders for commitment and release shall be in the forms set out in the First Schedule and shall be signed by his commanding officer.

Temporary confinement in civil custody.
First Schedule.

4. Any matter required by the Act to be promulgated shall be promulgated —

Promulgation.

- (a) by being communicated to the accused; or
- (b) if he cannot be found, in such other manner as may be directed by the confirming authority or reviewing authority, as the case may be.

5. (1) Political meetings shall not be held in any establishment, craft or camp of the Defence Force.

Meetings.

(2) Commanding officers of units shall have authority to prohibit, restrict or regulate the holding of any other meetings within any establishments or camps under their command and the admission of civilians to such meetings.

6. (1) If any person subject to the Defence Act (hereinafter called “the complainant”) thinks that he has suffered any personal oppression, injustice or other ill-treatment, he shall first make an oral complaint in accordance with procedures laid down by the Minister; and if he fails to obtain the redress to which he considers he is entitled, he shall submit a written complaint, in the form set out in the Second Schedule, to his commanding officer.

Redress of complaints.

Second Schedule.

(2) On receipt of the written complaint the commanding officer shall investigate it and grant redress if he has power, and thinks it appropriate, to do so; otherwise, and in any event if the complainant so requires, he shall forward the complaint with his written comments through appropriate service channels to Commander Defence Force.

(3) Upon receipt of a complaint as forwarded by the commanding officer, the Commander Defence Force may grant such redress as he thinks appropriate and as is within his powers; otherwise, and in any event if the complainant so requires, he shall forward the complaint with his written comments to the Minister.

(4) Upon receipt of a complaint as forwarded by Commander Defence Force, the Minister may grant such redress as he thinks appropriate and as is within his powers; otherwise, and in any event if the complainant so requires, he shall forward the complaint with his written comments to the Security Council for its determination.

Arms and
equipment.

7. The Minister may, subject to the approval of the Minister of Finance, issue instructions for the supply, use and disposal of arms, accoutrement, clothing and other stores including, and without prejudice to the generality of the foregoing, authority and procedure for purchase, reports on and investigations into losses, powers of write-off and the control of arms and ammunition.

Chaplain.

8. There shall be appointed a suitably qualified person as Chaplain to the Defence Force whose duties shall be laid down by the Minister.

Medical Officer.

9. (1) There shall be appointed a suitably qualified person to act as Medical Officer to the Defence Force whose duties shall, subject to sub-paragraph (2) of this regulation and any other Regulations made under the Act, be laid down by the Minister.

(2) Every member of the regular Force who may become ill in The Bahamas shall be accommodated and treated in the Princess Margaret Hospital, or elsewhere, as may be directed by the Medical Officer to the Defence Force or other official medical officer whose duty shall be to give the necessary medical and surgical attendance to every member of the Defence Force free of charge.

Messes, canteens
and recreation.

10. (1) Notwithstanding the provisions of any Act to the contrary, it shall be lawful for the Minister to authorise commanding officers to establish and maintain Defence Force messes, canteens and recreation rooms where wine, ale, beer, spirits and goods may be sold by retail without licence.

(2) The Minister shall make rules for the proper management and control of such messes, canteens and recreation rooms including, but without prejudice to the generality of the foregoing, opening hours for the sale of wine, ale, beer, spirits and other goods; prices and application of profits; supervision of contracts, purchasing and stock; accounting and audit of accounts; subscriptions; insurance; and disposal of funds.

11. (1) All fines imposed on persons subject to the Act for offences against the Act shall be paid to Commander Defence Force to be placed to the credit of a fund to be called “The Defence Forces Fines Fund”. Fines Fund.

(2) No payment shall be made from the Defence Force Fines Fund except upon the authority of Commander Defence Force.

(3) Commander Defence Force may in his discretion authorise payments from the Defence Forces Fines Fund for any of the following purposes:

- (a) assistance to the wives or families of deceased members of the Defence Force or to any persons discharged from the Defence Force as medically unfit for further service;
- (b) contributions towards prizes to be given at athletic meetings and similar events organised by or for the benefit of the Defence Force;
- (c) payments to members of the Defence Force below the rank of sub-lieutenant as rewards for meritorious acts of service in the execution of duty, if such payments are not met at public expense;
- (d) expenditure for the benefit and advancement of authorised recreation and sport and other activities organised within the Defence Force; and
- (e) contributions towards the costs of an attorney representing a member of the Defence Force at a trial by court-martial.

12. (1) The Minister may authorise the award to warrant officers and marines of the following good conduct badges — Good Conduct badges.

- (a) after five years qualifying service, the first good conduct badge;

- (b) after ten years qualifying service, the second good conduct badge; and
 - (c) after fifteen years qualifying service, the third good conduct badge.
- (2) Qualifying service shall be such as may be prescribed by the Minister.

FIRST SCHEDULE (Regulation 3)

PART I

ORDER FOR THE TEMPORARY COMMITTAL TO CIVIL CUSTODY OF A PERSON IN PRE-TRIAL CUSTODY

TO.....¹

WHEREAS Pay No Rank/Rate

Name Unit

is a person in service custody/having been charged with/with a view to his being charged with/² an offence against part V of the Defence Act:

Now, therefore, in pursuance of section 187(1) of the Act, I hereby order you to keep the said person in custody for a period not exceeding seven days unless the said person is earlier discharged or delivered over in due course of law, for which this shall be your warrant.

Signed this day of 19

Signature:.....

Rank and Appointment:.....³

PART II

ORDER FOR THE RETURN TO SERVICE CUSTODY OF A PERSON AWAITING TRIAL WHO IS TEMPORARILY DETAINED IN CIVIL CUSTODY

TO.....⁴

WHEREAS Pay No.....Rank/Rate

¹ Insert "The Superintendent Prison", or "The officer in charge of..... Police Station" as the case may require.

² Delete as appropriate.

³ This form must be signed by the commanding officer of the person in custody.

⁴ Insert "The SuperintendentPrison" or "The officer in charge of Police Station" as the case may require.

Name Unit

is now in your custody pursuant to section 187(1) of the Defence Act:

Now, therefore, in pursuance of the said Act, I hereby order you to deliver the said person into service custody to the/officer/warrant officer/marine/⁵ producing this Order.

Signed this.....day of.....19.....

Signature:.....

Rank and Appointment:.....⁶

SECOND SCHEDULE (Regulation 6)
FORM OF COMPLAINT

Applicant:

Pay number
Rank
Name
Unit

Short particulars of complaint (copies of supporting documents to be attached):

Name of investigating officer:

Signature of applicant:

Date:

Comments of commanding officer:

Signature:

Date:

Comments of Commander Defence Force:

Signature:

Date:

Comments of Minister:

Signature:

Date:

Decision of Security Council:

Signature of one member:

Date:

⁵ Delete as necessary.

⁶ This form must be signed by the commanding officer of the person in custody.

Promulgation to applicant on:

Signature of person promulgating:

Date:

S.I. 58/1984

DEFENCE (RESERVE) REGULATIONS

(SECTION 203)

[Commencement 20th September, 1984]

- Citation. **1.** These Regulations may be cited as the Defence (Reserve) Regulations.
- Interpretation. **2.** In these Regulations, unless the context otherwise requires —
- “officer” means any member of the Defence Force of or above the rank of midshipman.
- “warrant officer” means the holder of a warrant issued under regulation 18.
- Terms and Conditions of Service of Officer*
- Officers. **3.** (1) The officers of the Reserve shall be the officers appointed to the Reserve by the Minister.
- (2) No officer shall be appointed to the Reserve unless he is a citizen of The Bahamas:
- Provided that where the Security Council consider it necessary, a citizen of any foreign or Commonwealth Country may be appointed to the Reserve for a specified period.
- Rank. **4.** An officer of the Reserve shall serve in such rank as the Minister shall from time to time specify.
- Period of service. **5.** An officer of the Reserve shall serve for such period as the Minister shall specify after which he may either resign from the Reserve or, with the approval of the Minister, remain in the Reserve for such further period as the Minister may specify if, having regard to the past performance and medical fitness of the officer, the Minister decides that he should remain.
- Retirement, resignation and removal. **6.** Regulations 11, 12, 13, 14, and 15 of the Defence (officers) Regulations shall apply equally to officers of the Reserve.