

Promulgation to applicant on:

Signature of person promulgating:

Date:

SI 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.

Terms and Conditions of Service of Marines

7. (1) The term of service for which, in accordance with section 191(1) of the Act, a person may be enlisted in the Reserve shall be 1, 2, 3, 4, or 5 years beginning with the date of his attestation.

Terms of enlistment and re-engagement.

(2) The term of service for which, in accordance with section 191(4) of the Act, a marine of the Reserve may from time to time re-engage shall be 1, 2, 3, 4 or 5 years beginning with the expiration of his then current engagement or the date of his re-engagement, whichever is later, terminating not later than his fifty-fifth birthday.

8. All commissioned officers of the Defence Force whether of the regular Force or of the Reserve may act as recruiting officers.

Recruiting officers.

9. The form of Notice set out in the First Schedule or a form substantially to the like effect, shall be the notice given to a person offering to enlist in the Reserve hereinafter called “the applicant”; and the form of Attestation set out in the First Schedule, or a form substantially to the like effect, shall be used for the purposes of attestation.

Forms.
First Schedule.

10. (1) The recruiting officer shall give a notice paper to the applicant and shall then satisfy himself that the applicant understands the contents of the notice paper and the conditions of engagement upon which he is about to enter and shall warn the applicant that if he knowingly makes any false answers to the questions in the attestation paper which are to be put to him, he will be liable to be punished as provided by the Act.

Method of attestation.

(2) The recruiting officer shall satisfy himself that the applicant is not under the age of eighteen years.

(3) The recruiting officer shall then read, or cause to be read, to the applicant the questions set out in the attestation paper and shall ensure that the answers are duly recorded on it.

(4) The recruiting officer shall then ask the applicant to make and sign the declaration set out in the attestation paper as to the truth of the answers and shall administer to him the oath of allegiance set out in the attestation paper.

Provided that if the applicant objects to being sworn on the grounds either that he has no religious belief or that the taking of the oath is contrary to his religious belief, or it is not reasonably practicable to administer an oath in the manner appropriate to his religious belief, the applicant shall be required to make a solemn affirmation instead of taking the oath.

(5) Upon signing the declaration in the attestation paper and upon taking the oath or, as the case may be, making a solemn affirmation, the applicant shall become a marine of the Reserve.

(6) The recruiting officer shall by signature confirm on the attestation paper that the requirements of the Act and these Regulations have been duly complied with and shall deliver the attestation paper duly dated to Commander Defence Force who shall, on receiving the attestation paper, sign it in the appropriate place and thereby signify that the person is finally approved for service:

Provided that Commander Defence Force shall not so act without the approval of the Minister in such cases or classes of case as the Minister may from time to time decide.

(7) The marine, on being finally approved for service, shall be entitled to receive a certified true copy of the attestation paper.

Competent
authority for re-
engagement and
discharge

11. For the purpose of sections 191(4) (competent authority for re-engagement) and 201(1) (competent authority for discharge) of the Act, Commander Defence Force shall be the competent authority:

Provided that Commander Defence force shall not discharge a marine of the Reserve without the approval of the Minister in such cases or classes of case as the Minister may from time to time decide.

Rank and
promotion

12. (1) Persons transferring to the Reserve from the regular Force shall be transferred in the rank and with the seniority they had attained in the regular Force.

(2) Subject to subparagraph (1) of this regulation, rank, seniority and promotion of members of the Reserve shall be as laid down by the Minister.

13. (1) A marine of the Reserve may not be reduced in rank except by sentence of a court-martial or by award of the commanding officer dealing summarily with a charge unless —

Reduction in rank

- (a) Commander Defence Force or the Commanding Officer of the marine considers that he should be so reduced on grounds of inefficiency or unsuitability; and
- (b) the marine consents in writing to a reduction.

(2) Where a marine does not consent as provided in subparagraph (1)(b) of this regulation, action may be taken for his discharge under regulation 14.

14. In addition to discharge of a marine of the Reserve at his request under section 201(2) of the Act, the grounds on which a marine of the Reserve may be discharged under section 201(1) of the Act are:

Discharge

- (a) defect in enlistment procedure;
- (b) false answer or attestation;
- (c) final approval of attestation withheld;
- (d) failure to complete his training liability;
- (e) conviction by a civil court on a charge which, in the opinion of the competent authority, renders it undesirable for him to continue serving as a marine;
- (f) misconduct or indiscipline or inefficiency;
- (g) on implementation of a sentence of court-martial or commanding officer;
- (h) services no longer required;
- (i) mentally or physically unfit for service;
- (j) at the request of a marine, on compassionate or other personal grounds;
- (k) completion of engagement; and
- (l) on enlistment or commissioning in the regular Force.

Other Regulations

15. (1) A member of the Reserve shall attend for training at such places within The Bahamas and for such periods as may be specified by Commander Defence Force or an officer acting on his behalf.

Compulsory training

Second Schedule

2. A training notice shall be in the form set out in the Second Schedule to these Regulations and shall be served on a member of the reserve by —

- (a) being delivered to him personally;
- (b) being left at his last known address or
- (c) being sent by registered post addressed to him at his last known address.

Call-out

16. (1) Where the whole or any part of the Reserve is called out on temporary or permanent service, a member of the Reserve shall attend at the place or places and at the time and date specified by Commander Defence Force or an officer acting on his behalf.

Third Schedule

(2) A call-out notice shall be in the form set out in the Third Schedule to these Regulations and shall be served as required by section 195(3) of the Act.

Reporting

17. Every member of the Reserve shall report any change in his permanent address to the officer in charge of Reserve Records.

Warrant officers
Fourth Schedule

18. (1) A warrant in the form set out in the Fourth Schedule shall be signed by the Chairman and one other member of the Security Council and shall be issued to every person appointed to the substantive rank in the Reserve of Force chief petty officer.

(2) The Security Council may terminate a warrant officer's warrant for inefficiency or unsuitability and he shall thereupon revert to the rank of chief petty officer provided he consents in writing to such reversion and where he does not consent, action may be taken for his discharge under regulation 14.

Medical
treatment

19. Every member of the Reserve who, while subject to the Act, becomes 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 members of the Reserve —

- (a) for so long as he remains subject to the Act; and
- (b) after he ceases to be subject to the Act, if the Medical Officer to the Defence Force certifies that the illness is attributable to the said member's service in the Defence Force.

FIRST SCHEDULE (Regulation 9)**THE ROYAL BAHAMAS DEFENCE FORCE (RESERVE)** *5 cf 1988, s 6*

NOTICE PAPER

NOTICE TO BE GIVEN UNDER SECTION 16 AND 189(2)
 OF THE DEFENCE ACT, TO A PERSON OFFERING TO
 ENLIST IN THE ROYAL BAHAMAS DEFENCE FORCE
 (RESERVE) *5 cf 1988, s 6*

The paper sets out the questions you will be required to answer before the officer who will attest you for the Reserve, and the general conditions of the various engagements.

Under the provisions of sections 27, 67 and 191 of the Defence Act, if any person knowingly makes a false answer to any question contained in the attestation paper he is liable to punishment.

QUESTIONS TO BE PUT TO THE RECRUIT BEFORE
 ENLISTMENT

- Q. 1. What is your full name?
- Q. 2. What is your address?
- Q. 3. State day, month and year of your birth.
- Q. 4. Where were you born?
- Q. 5. What is your nationality now?
- Q. 6. What was the nationality at birth of —
 - (a) yourself?
 - (b) your father?
 - (c) your mother?
 - (d) your husband/wife?
- Q. 7. Are you single, married, widowed, divorced?
- Q. 8. How many children are dependent on you?
- Q. 9. What is your trade or occupation?
- Q. 10. Do you belong to, or have you ever served in, any naval military or air force or in any police force? If so, state which and the period of service and the reasons for and dates of discharge?
- Q. 11. Have you ever been dismissed or discharged for misconduct from any naval, military or air force or from any police force or other Government service?
- Q. 12. Have you truly stated the whole, if any, of your previous service?
- Q. 13. Have you at any time been found guilty by any civil court of any offence? If so, give particulars.

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- Q. 14. Have you ever been rejected for service in any naval, military or air force or in any police force? If so, on what grounds?
- Q. 15. Are you willing to be inoculated or re-inoculated and to have your fingerprints taken?
- Q. 16. Have you received a notice paper setting out the questions to be answered on attestation and the general conditions of the engagement to be entered into, and do you understand the contents of the notice paper and wish to be enlisted?
- Q. 17. Are you willing to serve in the Reserve provided the Minister shall so long require your services for a term of years in the service?

You will be required to make the following declaration,
“I do solemnly declare that the above answers made by me to the above questions are true, and that I am willing to fulfil the engagement made.” On signing the declaration and taking the oath or making a solemn affirmation you will become a member of the Reserve subject to service law under the Defence Act.

GENERAL CONDITIONS OF ENGAGEMENT

1. You will be required to engage to serve in the Reserve for such time as is agreed on attestation, provided that the Minister shall so long require your services. You will be liable to serve in the Commonwealth of The Bahamas but may be ordered to serve outside or beyond the Commonwealth of The Bahamas.

2. You may engage to serve for a term of 1, 2, 3, 4 or 5 years in the Reserve when any of these terms of service are currently open.

3. You may not enlist unless you have reached the age of eighteen years.

4. At any time after, or within six months prior to, completion of your engagement in the Reserve, you may apply to serve for further terms in the Reserve, but terminating not later than your fifty-fifth birthday.

5. If immediately before the time you enlist you had been serving in the regular Force you will be given the rank and seniority you had attained in that Force. Otherwise, you will be enlisted in the rank of recruit or such other rank as the Minister may decide taking into account any service you may have had in any naval, military or air force or other relevant experience.

6. When you have been attested you will be subject to the provisions of the Defence Act, for the time being in force, and you will be required to carry out whatever duties may be ordered by

those in authority over you. You will be liable to be called out to serve under the rules and regulations which apply to the regular Force for periods of up to two months as required by the Security Council, or in the event of war, insurrection, hostilities or public emergency for permanent service as required by the Governor-General.

7. While undergoing full time service or training you will be liable to the punishments authorised under the Defence Act for both service offences and criminal offences under the ordinary laws of The Bahamas. In addition you will have no right to terminate your period of enlistment prematurely (although you may apply to do so on compassionate or other personal grounds) nor to fail to comply with any call out or training notice.

8. No guarantee can be given that you will be employed on any particular duties but where you were enlisted with a view to performing particular duties, you will be employed on these duties so far as the requirements of the Reserve permit.

9. In computing your service for the purpose of discharge or re-engagement, periods during which you have not been available for duty because of imprisonment, detention, desertion or absence without leave exceeding twenty eight days will be excluded.

10. You may be discharged at any time during your engagement by order of a competent authority as a result of irregularities concerning your enlistment, for misconduct, for unfitness on medical grounds or for the benefit of the public service.

11. If at the time when your term in the Reserve expires you are on actual service as stated in paragraph 6 above, you will not be entitled to be discharged until your actual service is terminated.

12. If at the time you are due to be discharged you are liable to be proceeded against for an offence against service law, your discharge will be postponed until after the proceedings have been concluded.

ATTESTATION PAPER TO BE USED TO ENLIST A
PERSON IN THE ROYAL BAHAMAS DEFENCE FORCE
(RESERVE)

5 of 1988, s 6

QUESTIONS TO BE PUT TO THE RECRUIT BEFORE
ENLISTMENT

- Q. 1. What is your full name?
A.
- Q. 2. What is your address?
A.

- Q. 3. State day, month and year of your birth.
- A.
- Q. 5. What is your nationality now?
- A.
- Q. 6. What was the nationality at birth of:
 - (a) yourself?
 - (b) your father?
 - (c) your mother?
 - (d) your husband/wife?
- Q. 7. Are you single, married, widowed, divorced?
- A.
- Q. 8. How many children are dependent on you?
- A.
- Q. 9. What is your trade or occupation?
- A.
- Q. 10. Do you belong to, or have you ever served in any naval, military or air force or in any police force? If so, state which and the periods of service and the reasons for and dates of discharge.
- A.
- Q. 11. Have you ever been dismissed or discharged for misconduct from any naval, military or air force or from any police force or other Government service?
- A.
- Q. 12. Have you truly stated the whole, if any, of your previous service?
- A.
- Q. 13. Have you at any time been found guilty by any civil court of any offence? If so, give particulars.
- A.
- Q. 14. Have you ever been rejected for service in any naval, military or air force or in any police force? Is so, on what grounds?
- A.
- Q. 15. Are you willing to be inoculated or re-inoculated and to have your fingerprints taken?
- A.

Q. 16. Have you received a notice paper setting out the questions to be answered on attestation and the general conditions of the engagement to be entered into, and do you understand the contents of the notice paper and wish to be enlisted?

A.

Q. 17. Are you willing to serve in the Reserve provided the Minister shall so long require your services for a term of years in the service?

A.

SOLEMN DECLARATION

I, do solemnly declare that the above answers made by me to the above questions are true, and that I am willing to fulfil the engagement made.

.....
(Date) (Signature of Applicant)

.....
(Signature of Attesting Officer) (Rank)

OATH OR AFFIRMATION TO BE TAKEN BY APPLICANT ON ATTESTATION

I, /swear by Almighty God/do solemnly, sincerely and truly declare and affirm/ that I will be faithful and bear true allegiance to Her Majesty Queen Elizabeth II, Her Heirs and Successors, according to law, and that I will, as in duty bound, honestly and faithfully defend the Commonwealth of The Bahamas against all enemies, and will observe and obey all orders of Commander Defence Force and of the officers, warrant officers and marines set above me.

CERTIFICATE OF ATTESTING OFFICER

I certify that the applicant has received a copy of the Notice Paper and I have taken care that he understands each question on the Attestation Paper and the answer to each question has been entered. I have satisfied myself that he is not below the age of eighteen years and that he is eligible for enlistment. The applicant made and signed the Declaration and took the Oath or Affirmation before me on

.....
(Date) Signature of Attesting Officer Rank

APPROVAL BY COMMANDER DEFENCE FORCE

The above applicant is approved for enlistment in the Reserve.

.....
(Date) (Signature of Commander Defence Force)

**SECOND SCHEDULE (Regulation 15)
TRAINING NOTICE**

To:.....
 Pay number:
 Rank:.....
 Name:.....
 Private Address:.....
 1. You are hereby required to report on day
 of 19 to

 (name and address of unit, sub-unit or other place) at....hours
 for Reserve training until hours on day of
 ...19....
 2.
 (any additional information)
 Dated day of..... 19.....
 Signed:.....
 Rank:.....
 Name:.....
 Appointment:.....
 Officer authorised by Commander Defence Force to give this
 notice⁷.

THIRD SCHEDULE (Regulation 16)

CALL-OUT NOTICE

To:.....
 Pay number:
 Rank:.....
 Name:.....
 Private address:.....
 1. / ⁸ The Governor-General has by proclamation directed that the
 Reserve shall be called out for a permanent service and the Minister
 has called out/ members of ⁹ / the Reserve ¹⁰ /. The Security Council

⁷ Delete if signed by CDF
⁸ Amend as appropriate
⁹ Amend as appropriate
¹⁰ Amend as appropriate

has called out/members of ¹¹ / the Reserve on temporary service ¹² /.

2. You are therefore required to report/ athours on day of 19 ¹³/immediately ¹⁴/ to(name and address of unit, sub-unit or other place).

3. Call-out will be/ until ¹⁵/ for not more than 2 months ¹⁶ / until your services are no longer required ¹⁷ /.

4.....
(any additional information)

Datedday of.....19.....

Signed:.....

Rank:.....

Name:.....

Appointment:.....

Officer authorised by Commander Defence Force to give this notice ¹⁸.

FOURTH SCHEDULE (Regulation 18)

FORM OF WARRANT TO WARRANT OFFICER (FORCE CHIEF PETTY OFFICER)

WARRANT

The National Security Council

To.....

By virtue of Authority granted to us under the Defence Act.

we do hereby Constitute and Appoint you the said.....

to be a Warrant Officer in The Royal Bahamas Defence Force from the day of, 19 and to continue in the said Office during the pleasure of the National Security Council. You are therefore carefully and diligently to discharge your duty as such by doing and performing all manner of things thereunto belonging, as required by or under the Defence Act, or any

SI cf1988, s 6

¹¹ Amend as appropriate
¹² Amend as appropriate
¹³ Amend as appropriate
¹⁴ Amend as appropriate
¹⁵ Amend as appropriate
¹⁶ Amend as appropriate
¹⁷ Amend as appropriate
¹⁸ Delete if signed by CDF

regulations made thereunder, and you are to observe and follow lawful orders and directions as you shall receive from your Commanding Officer or any other Superior Officer.

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

.....
CHAIRMAN NATIONAL SECURITY
COUNCIL

.....
MEMBER NATIONAL SECURITY
COUNCIL

**ROYAL BAHAMAS DEFENCE FORCE
(INAUGURATION MEDAL) REGULATIONS**

SI 22/1982

(SECTION 205)

[Commencement 1st April, 1982]

Citation.

1. These Regulations may be cited as the Royal Bahamas Defence Force (Inauguration Medal) Regulations.

Medal.

2. There shall be in respect of the Royal Bahamas Defence Force a medal (hereinafter referred to as “the medal”) to commemorate the inauguration of the Royal Bahamas Defence Force.

Description of medal.

3. The medal shall be a circular silver medal one and a half (1½) inches in diameter bearing on the obverse the Coat of Arms of the Commonwealth of The Bahamas, on the reverse an emblematic design consisting of an anchor in a circle bearing the words “Royal Bahamas Defence Force” surrounded by a laurel wreath and surmounted by a shield bearing a representation of the Santa Maria and a demisun, and below, the figures “1979”.

5 cf 1988, s 6

Award of medals.

4. (1) The Governor-General may, on the advice of the Minister after consultation with the Commander of the Royal Bahamas Defence Force, award the medal to —

- (a) any present or past member of the Royal Bahamas Defence Force; and
- (b) any civilian who was instrumental in the establishment and organisation of the Force, as may be designated as being so instrumental by the Minister.