IT is hereby notified that the Minister of Defence, in terms of section 113 of the Defence Act [Chapter 11:02], and after consultation with the Defence Forces Service Commission, has made the following regulations:

1. These regulations may be cited as the Defence (Regular Force) (Officers) (Amendment) Regulations, 2016 (No. 7).

2. The Defence (Regular Force) (Officers) Regulations, 1988, published in Statutory Instrument 152 of 1988, is amended in section 15 ("Retirement") by the repeal of subsections (4), (5), (6) and (7) and the substitution of the following—

"(4) A permanent service officer shall, whatever the length of his or her pensionable service, retire on attaining the age of fifty years:

Provided that—

(a) if the Minister, on the recommendation of the Commander, considers that it is desirable in the public interest, he or she may allow that officer to continue to serve for a period of five years until he or she attains the age fifty-five years; or

(b) if that officer is allowed to continue to serve in terms of subsection 4(a), the Commander may, on giving twelve months written notice to the officer of his or her intention to do so, require him or her to retire before he or she has served that period.

(5) A permanent service officer who has continued to serve in terms of subsection 4(a) shall retire on attaining the age of fifty-five years:

Provided that—

(a) if the President, on the recommendation of the Minister, considers that it is desirable in the public interest, he or she may allow that officer to continue to serve for a period of five years until he or she attains the age of sixty years; or
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(b) if that officer is allowed to continue to serve in terms of subsection 5(a), the Commander may, on giving twelve months written notice to the officer of his or her intention to do so, require him or her to retire before he or she has served that period.

(6) A permanent service officer who has continued to serve in terms of subsection 5(a) shall retire on attaining the age of sixty years:

Provided that—

(a) if the President, on the recommendation of the Minister, considers that it is desirable in the public interest, he or she may allow an officer who is a war veteran as defined in the War Veterans Act [Chapter 11:15] to continue to serve for a period of five years until he or she attains the age of sixty-five years; or

(b) if that officer is allowed to continue to serve in terms of subsection 6(a), the Commander may, on giving twelve months written notice to the officer of his or her intention to do so, require him or her to retire before he or she has served that period.

(7) A permanent service officer who has continued to serve in terms of subsection 6(a) shall retire on attaining the age of sixty-five years.

3. The Defence (Regular Force) (Officers) (Amendment) Regulations, 2014 (No. 6), published in Statutory Instrument 135 of 2014, is hereby repealed.


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