

2021-07-05

### **OBJECTS AND REASONS**

This Bill would amend the *Defence Act*, Cap. 159 to broaden the officer corps and make use of the expertise of retired officers and to provide for related matters.

*Arrangement of Sections*

1. Short title
2. Amendment of Cap. 159
3. Validation

## **BARBADOS**

A Bill entitled

An Act to amend the *Defence Act*, Cap. 159 to broaden the officer corps and make use of the expertise of retired officers and to provide for related matters.

ENACTED by the Parliament of Barbados as follows:

### **Short title**

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

**Amendment of Cap. 159**

**2.** *The Defence Act, Cap. 159 is amended by inserting immediately after section 169 the following new section:*

**“Command of Force during the exigencies of service**

**169A.**(1) Notwithstanding section 169 or any enactment to the contrary, the Governor-General, acting in accordance with the advice of the Defence Board, may appoint, where the exigencies of the service so require, a retired officer of the Barbados Defence Force

- (a) who held the rank of Lieutenant Colonel or the equivalent Naval or Air Force rank; and
- (b) who is over the age of 55 years but has not attained the age of 65 years

in whom the command of the Barbados Defence Force will be vested, and, subject to the terms of his appointment, that officer has command of the Force during the pleasure of the Governor-General.

(2) The Governor-General may confer on an officer referred to in subsection (1) such rank as the Defence Board recommends.”.

**Validation**

**3.** The continuance in office of any officer or soldier of the Barbados Defence Force, or the appointment of such an officer or soldier to any office, before the commencement of this Act, contrary to the provisions of the *Defence Act*, Cap. 159, the *Defence (Officers) Regulations, 1979* (S.I. 1979 No. 162) or

the *Defence (Barbados Defence Force Reserve) Regulations, 1981* (S.I. 1981 No. 48)

- (a) after such officer or soldier had retired from the Barbados Defence Force; or
- (b) after such officer or soldier had ceased to be a member of the second class of the Barbados Defence Force Reserve,

shall be deemed to have been lawful and valid; and any function performed by such an officer or soldier before the commencement of this Act shall be deemed to have been lawfully and validly performed.