

Defence

Cap. 159.

DEFENCE (MISCELLANEOUS)
REGULATIONS, 19811981/50.
1983/163.

Authority: These regulations were made on 16th March, 1981 by the Defence Board under section 224 of the *Defence Act*.

Commencement: 16th March, 1981.

1. These Regulations may be cited as the *Defence* Short title.
(*Miscellaneous*) Regulations, 1981.

2. (1) The ranks of officers and soldiers of the Barbados Defence Force are those set out in serials 5-20 of the first column of the *First Schedule*. Ranks.
1983/163.
First
Schedule.

(2) For the purposes of the *Defence Act*, any rank or rating specified in any column of the *First Schedule* corresponds with the ranks or ratings specified in relation to that rank in the other columns of that *Schedule*. Cap. 159.

3. For the purposes of section 59 of the Act, flying at less than 2 000 feet above ground or water level is prohibited, except Low level flying.

- (a) when taking off, landing, preparing to land, or making a forced landing;
- (b) when necessitated by weather;
- (c) when required in connection with exercises or missions involving co-operation from the ground or water;
- (d) when specially authorised by higher authority;
- (e) when properly authorised and carried out for training purposes over areas approved by the Chief of Staff or an officer not below the rank of lieutenant colonel or corresponding rank.

4. (1) Subject to paragraphs (2) and (3), a non-commissioned officer or soldier who has elected under section 85(4) of the Act to be tried by court-martial may withdraw his election at anytime before his trial begins. Right to withdraw election.

THE LAWS OF BARBADOS

Printed by the Government Printing Department, Bay Street, St. Michael,
by the authority of the Government of Barbados

(2) Subject to paragraph (3), a non-commissioned officer or soldier who has elected to be tried by court-martial must be given an opportunity of withdrawing his election on the day following that on which he made the election, and he may not be remanded for trial before the end of that day.

(3) A non-commissioned officer or soldier who has elected to be tried by court-martial is not entitled to withdraw his election before he has been remanded for trial if his commanding officer is of the opinion that it is undesirable for the non-commissioned officer or soldier, as the case may be, to do so.

(4) A non-commissioned officer or soldier who has elected to be tried by court-martial may, with the permission of the convening officer, withdraw his election after he has been remanded for trial.

Civil
Custody

5. Where a person in military custody is committed into civil custody in Barbados for temporary detention in accordance with section 192 of the Act, the orders for commitment and release shall be in the forms set out in the *Second Schedule* and shall be signed by his commanding officer.

Second
Schedule.

Promul-
gation.

6. Any matter required to be promulgated by the Act shall be promulgated

- (a) by being communicated to the accused; or
- (b) by being published in the orders of the unit to which he belongs or is attached if he absents himself without leave before any such matter can be communicated to him; or
- (c) in such other manner as may be directed for special reasons by the confirming authority or reviewing authority, as the case may be.

Books,
documents.

7. The service books and other documents in which records may be made for the purposes of section 189 of the Act are

- (a) Unit order books;
- (b) Part II and Part III Orders;
- (c) Register of deserters;

- (d) Postage books;
- (e) Guard report;
- (f) Record of service (officers);
- (g) Record of service (soldiers);
- (h) Regimental and Company conduct sheet; and
- (i) Record of reports of boards of inquiries on illegal absence of officers and soldiers.

8. (1) An officer appointed to command a unit has, Com-
mands. irrespective of seniority, command over all other officers serving therein.

(2) An officer holding an authorised appointment of second in command of a unit has, irrespective of seniority, command over all other officers serving therein except the officer appointed to command the unit.

(3) In the absence of both the officer in command of a unit and the officer appointed second in command thereof, the senior officer in that unit has command over all other officers serving therein.

(4) Officers may exercise powers of command over junior officers and over all soldiers.

(5) A person in command of an aircraft, whether or not he is a member of the Defence Force has, in respect of all matters relating to the control or safety of the aircraft, power of command over officers and soldiers of the Defence Force who are on board the aircraft.

9. The relative precedence of officers is as follows:

Precedence
of officers.

- (a) officers holding substantive rank take precedence of all officers holding temporary, acting or local rank of the same grade, and precedence among themselves according to their seniority;
- (b) officers holding temporary or acting rank take precedence of all officers holding local rank of the same grade, and precedence among themselves according to the date of their appointment;

- (c) officers holding local rank of the same grade take precedence among themselves according to the date of their appointment;
- (d) officers of the regular Force take precedence of reserve officers of the same rank; and
- (e) officers of the first class of the Reserve take precedence of officers of the second class of the Reserve of the same rank.

Precedence
of other
ranks.

10. The relative precedence of soldiers is as follows:

- (a) soldiers holding substantive rank are senior to all soldiers holding the same acting rank and soldiers holding acting rank are senior to all soldiers holding the same local rank;
- (b) seniority between soldiers of the same substantive rank is to be determined in accordance with their dates of promotion to that rank;
- (c) seniority between soldiers holding the same acting or local rank is to be determined in accordance with their respective dates of promotion to that acting rank or the date on which their local rank was granted, but where the date is the same, seniority depends on the date of promotion to the next lowest rank at which seniority can be clearly established, and, if necessary by seniority as a soldier;
- (d) warrant officers and non-commissioned officers of the regular Force take precedence of warrant officers and non-commissioned officers of the Reserve of the same rank;
- (e) a warrant officer or non-commissioned officer of the first class of the Reserve takes precedence of a warrant officer and non-commissioned officer of the second class of the Reserve of the same rank.

Foreign
Forces.

11. Seconded or loaned personnel of foreign forces take precedence with personnel of the regular Force of equivalent or corresponding rank according to their respective dates of appointment to their rank.

FIRST SCHEDULE

*(Regulation 2)*CORRESPONDING RANKS OR RATINGS IN ARMED
FORCES

| Serial | Military | Naval | Air-force |
|--------|----------------------------|---|---|
| 1. | Field Marshal | Admiral of the Fleet | Marshall of the Air Force |
| 2. | General | Admiral | Air Chief Marshall |
| 3. | Lieutenant-General | Vice-Admiral | Air Marshall |
| 4. | Major-General | Rear Admiral | Air Vice Marshall |
| 5. | Brigadier | Commodore | Air Commodore |
| 6. | Colonel | Captain | Group Captain |
| 7. | Lieutenant-Colonel | Commander | Wing Commander |
| 8. | Major | Lieutenant-Commander | Squadron Leader |
| 9. | Captain | Lieutenant | Flight Lieutenant |
| 10. | Lieutenant | Sub-Lieutenant Acting Sub-Lieutenant (but junior to military and air-force ranks) | Flying Officer |
| 11. | Second-Lieutenant | Midshipman (but junior to military and air- Force ranks) | Pilot Officer Acting Pilot Officer (but junior to military rank) |
| 12. | Officer Cadet | Officer Cadet | Officer Cadet |
| 13. | Warrant Officer Class I | Master Chief Petty Officer Class I | Warrant Officer |

THE LAWS OF BARBADOS

Printed by the Government Printing Department, Bay Street, St. Michael,
by the authority of the Government of Barbados

| | | | |
|-----|---|----------------------------------|--|
| 14. | Warrant Officer Class II (but junior to air- force Warrant Officer, Master Technician) | Master Chief Petty Officer II | Warrant Officer Master Aircrew Master Technician |
| 15. | Staff Sergeant | Chief Petty Officer | Flight Sergeant Chief Technician |
| 16. | Sergeant | Petty Officer | Sergeant Senior Technician |
| 17. | Corporal | Leading Rating/Seaman | Corporal |
| 18. | Lance-Corporal | Able Rating/Seaman | Senior Aircraftman Junior Technician |
| 19. | Private | Ordinary Rating/ Seaman | Leading Aircraftman Aircraftman 1 Aircraftman 2 |
| 20. | Recruit | Recruit | Recruit |

SECOND SCHEDULE

(Regulation 5)

Form I

ORDER FOR TEMPORARY CONFINEMENT IN CIVIL
CUSTODY

To the

(Superintendent.....Prison)

(Officer of Police in charge of.....Police
Station)

In pursuance of section 192 of the *Defence Act, Cap 159, I*, the under-
signed, the Commanding Officer of.....
.....(number, rank, name and unit), a person in
military custody, order you to receive him into custody and to detain him until
you receive from me an order for his release, but not longer than 7 days.

Place.....

Date.....

.....
(Signature of Commanding Officer)

SECOND SCHEDULE

Form II

ORDER FOR RELEASE FROM TEMPORARY CONFINEMENT IN CIVIL CUSTODY

To the.....

I, the undersigned, the commanding officer of.....

.....(number, rank, name and unit),

a person now in your custody require you to deliver him to the escort producing this authority.

Place.....

Date.....

.....
(Signature of Commanding Officer)