

ANTIGUA AND BARBUDA



DEFENCE (AMENDMENT) BILL, 2020

No. of 2020

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ARRANGEMENT OF CLAUSES

CLAUSES

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ANTIGUA AND BARBUDA
DEFENCE (AMENDMENT) BILL, 2020

NO. OF 2020

AN ACT to amend the Defence Act 2006 to make provision for the unification of the duties of the officers and soldiers of the Antigua and Barbuda Defence Force and for other connected purposes.

ENACTED by the Parliament of Antigua and Barbuda as follows:

1. Short title

This Act may be cited as the Defence (Amendment) Act 2020.

2. Interpretation

In this Act, “principal Act” means the Defence Act 2006.

3. Amendment of section 4 – Establishment and maintenance of the Force

Section 4 of the principal Act is amended –

(a) in paragraph (a) by inserting immediately after the words “a regular Force” the words, “having a land unit, a maritime unit and an air unit;”

(b) in paragraph (b) by inserting immediately after the words “Antigua and Barbuda Defence Force Reserve” the words, “having a land unit, a maritime unit and an air unit”

4. Amendment of section 5 - Powers of officers, Petty Officers and men of the Coast Guard

Section 5 of the principal Act is amended –

(a) by deleting the section heading and renaming it as follows:

“5. Powers of officers and soldiers of the Defence Force”

(b) in subsection (1) by deleting the words “Petty Officer or man” and replacing these with the words “or soldier”;

(c) in subsection (2) by deleting the words “Petty Officer or man” and replacing it with the word “soldier”.

5. Amendment of the principal Act

The principal Act is amended in the Part heading for Part X by delete the words, “The Antigua and Barbuda Defence Force Coast Guard” and replacing it with the heading “Special Duties of the Antigua and Barbuda Defence Force”

6. Amendment of section 213 – Special Duties of Coast Guard

Section 213 of the principal Act is amended –

(a) by deleting the section heading and renaming it as follows:

“213. Special duties of the Antigua and Barbuda Defence Force”

(b) in subsection (1) by deleting the word “Coast Guard”;

(c) in subsection (2) by deleting the word “Coast Guard”;

(d) in subsection (3) by deleting the word “Coast Guard” and replacing these with the words “Antigua and Barbuda Defence Force”;

7. Amendment of section 218 – Power of arrest

Section 218 is amended in subsection (1) by deleting the words “Coast Guard” and replacing these with the words “Antigua and Barbuda Defence Force”

Passed by the House of Representatives

this day of 2020

Speaker

Clerk to the House of Representatives

Passed by the Senate

this day of 2020

President

Clerk to the Senate

EXPLANATORY MEMORANDUM

This amendment is being done in an attempt to unify the duties of the officers and soldiers of the Antigua and Barbuda Defence Force. The amendment contains seven (7) clauses.

Clause 3 amends section 4 of the Act by specifying that the branches of the Defence Force consist of a land unit, a maritime unit which is generally referred to as the Coast Guard and an air unit. The rationale behind this amendment is to facilitate the hierarchy of the Defence Force in being able to assign officers and soldiers to any unit of the Force equally whenever this is required.

Clauses 4, 5, 6 and 7 removes mention of the words “Coast Guard” which is a recognised unit of the Defence Force and replaces these words with the words “Antigua and Barbuda Defence Force”. Again, the Force wants to put beyond doubt that the Force is One Force, albeit with different units and so officers and soldiers may be freely moved between units.

Hon. Gaston Browne, Prime Minister; and
Minister with responsibility for the Defence Force