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## **PERSONNEL POLICY**

### **CHAPTER 1**

#### **RECRUITMENT PROCEDURES**

##### **GENERAL**

1001. Recruitment for the Guyana Defence Force (GDF) will be carried out in accordance with the Force's Personnel Policy. The selection process will not be confined to any specific race/races or geographic area/areas but will be open to all Guyanese nationals subject to the necessary enlistment requirements.

1002. The authority for enlistment and discharge of personnel in the GDF is vested in the Chief of Staff, only. Employment by the Force is controlled by the Staff Officer One, Administration Defence Headquarters, and all details affecting the services of personnel must be published in the Force's Part 2 Orders.

1003. No attempt is to be made to recruit, hire, promote or dismiss persons or in any way change their employment status without notification, and approval by Defence Headquarters (DHQ). Such unauthorised changes are likely to create confusion and ultimately affect the pay and records systems.

1004. Before an individual is taken on strength as a recruit, cadet or civilian employee, he/she must satisfy normal entry requirements as stipulated by the Force. Unit Commanders and Department Heads are in no way authorised to encourage premature employment of new entrants within their units/departments, while applications are being processed, as the Force can be held liable in the event of an entrant's injury on the job, or his/her failure to meet its entry requirements.

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1005. Any male or female Guyanese national is qualified for enlistment who:

- a. Has attained the age of eighteen (18) years or is seventeen (17) years and has obtained the consent of a parent or guardian for his/her enlistment.
- b. Has satisfactorily met the Force's basic academic requirement. See **Annex A** for entry requirements, for both Recruit and Officer Cadet levels.
- c. Has satisfied the Force Medical Officer that he/she is physically fit for service.
- d. Is prepared to take the oath or make a solemn affirmation on attestation.
- e. Is prepared to make the pledge of loyalty to the State of Guyana.
- f. Is prepared to submit to military discipline under the Defence Act
- g. Is prepared to attend in person, all parades, mobilisation drill, training exercises or call-out on emergency services.

**GUYANA DEFENCE FORCE RECRUITMENT: OUTREACH GUIDELINES**

1006. a. Particular focus was to be placed on recruitment in Indo-Guyanese communities, but not at the exclusion of other ethnic groups.
- b. No person should be excluded from enlisting in the GDF, except on the basis of competitive merit.
- c. Public information is to be adequately disseminated in order to remove negative misperceptions about the recruitment policy. The public information campaign should highlight the inclusionary ethnic recruitment and retention policy of the GDF, in terms of:
- (1) the need for greater Indo-Guyanese representation in the interest of achieving ethnic balance.
  - (2) respect and regard for diverse religious practices; and
  - (3) securing from all officers, including senior ranks, an attitude of respect for all new entrants.

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- d. Forming a multi-ethnic recruitment panel to exemplify an ethnically diverse GDF and to conduct recruitment in all regions.
- e. The disciplinary codes of the GDF should specifically highlight racial harassment and provide for effective disciplinary sanctions.

### **RESPONSIBILITY FOR RECRUITMENT**

1007. The Force's Recruitment Officer (FRO) is responsible to the Chief of Staff through the Colonel Administration and Quartering for the recruitment of ranks and civilians into the GDF, Specifically, his duties are as follows:

- a. Initiating and coordinating policies, and carrying out the detailed planning necessary to achieve the recruitment targets set by Defence Headquarters.
- b. Providing information and, when called for, advice on all recruitment related activities.
- c. Liaising with G2 Branch, G5 Branch, Finance Department, Medical Corps and the Credit Union to ensure timely completion of the recruitment process, and commencement of both the Basic Recruit and the Standard Officers' Courses.
- d. Recommending policies, plans and procedures for implementation which will help units of the Force to assist in recruitment activities.
- e. Visiting schools across the country in order to increase awareness among the general populace of career opportunities available in the Guyana Defence Force.
- f. Ensuring that recruitment procedures are executed as prescribed, and that systems are in place to monitor the entire process as highlighted at paragraph 1025.
- g. The recruitment of civilian staff in accordance with the Guyana Defence Force Personnel Policy.

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- h. Ensuring that all recruitment staff are easily identifiable and demonstrate appropriate interpersonal qualities.
- i. To conduct training for all ranks/civilians who are involved in recruitment activities.
- j. Ensuring that all recruitment related information is appropriately stored to allow for easy retrieval by authorised recruitment personnel.
- k. The FRO is responsible for ensuring that the conduct of recruitment is consistent with Force Policy.

### **ADVERTISING**

1008. Advertisements are to be placed from time to time in the media, inviting suitably qualified individuals to apply for military and civilian careers in the Guyana Defence Force. Such advertisements should clearly indicate the requisite qualifications and desired characteristics of candidates, giving full details of the method and process of application etc. See details of the requisite qualifications (non specialist) for the Regular Force at Annex A to this Chapter. The requisite qualifications for specialist candidates will depend on the type of specialist that the Guyana Defence Force is seeking.

### **CAREER LECTURES AND DISPLAYS**

1009. Whenever invited by schools and other organisations, or where it is deemed appropriate, officers shall be detailed through their unit headquarters to deliver career lectures or attend displays on behalf of the Force.

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### **APPLICATIONS**

1010. Initial application for a commission in the regular Force is to be made in writing to the Officer Commanding, General personnel Division (GPD) for the attention of the SO1 G1 (Staff Officer Administration and Personnel).

1011. Applications are to be screened upon receipt. If the applicant is appropriately qualified to be commissioned as an officer in the Regular Force, a letter of invitation to attend a selection board is to be sent to him. This is to outline the date(s) of the selection board, giving general details and requesting that applicants confirm their availability/unavailability. The letter should also indicate that where an applicant has not yet attained the age of 18 years (but is 17 years or more in age), parental consent to attend the selection board and to enlist in the Guyana Defence Force will be required.

1012. Applicants who are not considered suitable are to be advised in writing.

### **COMMISSIONS BOARD**

1013. By virtue of section 13 of the Defence Act, no person shall be granted a commission in the Guyana Defence Force unless he has been interviewed and, after being found suitable, recommended accordingly by a Commissions Board.

### **IDENTIFICATION OF RECRUITMENT STAFF**

1014. Recruitment staff are to be smartly dressed, especially when engaging civilian members of the public. Each member of staff is to wear a clearly identifiable designation tag, (Force

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Recruitment Officer/Recruitment SNCO/Recruitment NCO/Recruitment Staff) as necessary, which is to measure “3”x2” in dimensions.

### **CONDUCT OF THE RECRUITMENT STAFF**

1015. The staff must set an example for potential recruits, officer cadets and civilian employees in all aspects of their professional and personal behaviour. The staff will therefore have to demonstrate self-discipline and observance of military regulations. They will also be expected to:

- a. ensure the well being of all potential entrants,
- b. act as role models for officer cadets and recruits, and
- c. motivate recruits and officer cadets towards their future duties in their respective units after training.

1016. The professionalism of the recruitment staff, therefore, must be reflected in their relationships with potential members of the Force in every aspect of the recruitment process. The range of these relationships includes interfacing with them on their arrival at the recruitment centre until their departure from the said venue.

### **PROCEDURES**

1017. The procedures for recruitment are as follows:

- a. Applicant submits his/her application. See application form at **Annex B**.
- b. See acknowledgement letter from FRO at **Annex C**.
- c. Initial Interview (this will include the submission of certificates by the applicant).
  - (1) Potential Cadets (ad hoc panel approved by the Col AQ)
  - (2) Potential Recruits (ad hoc panel approved by the Staff Officer One, Administration). See Preliminary Interview Form at **Annex D**.

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- d. Inspection of certificates (birth, marriage, academic and police clearance).
- e. Inspection of other necessary documents (National ID/Valid Passport/National Insurance Scheme Number, Bank Account Number).
- f. Trade Test (as required)
- g. Academic Test.
- h. Physical Assessment (Potential Officer Cadet)
- i. Medical Examination.
- j. Interview by Recruitment Board (Potential Recruits).
- k. Interview by Commissions Board (Potential Officer Cadets).
- l. Chief of Staff's Approval (Potential Recruits).
- m. Approval by Commissions Board (Potential Officer Cadets).
- n. Publication in Force's Part 2 Orders.

### **BASIC RECRUIT COURSE: ENTRY REQUIREMENT**

1018. Potential Recruits must possess at a minimum, a sound primary education in order to be eligible for enlistment by the Guyana Defence Force. Applicants possessing a minimum of three (3) subjects CXC (Grades 1-4) will be exempted from the written examination.

### **PROCESSING THE APPLICANT**

#### 1019. a. **Initial Interview**

- (1) Male applicants (Cadets) are interviewed by male Commissioned Officers.
- (2) Female applicants (Cadets) are interviewed by female Commissioned Officers.
- (3) Birth certificate, academic certificates or proof of same, police clearance and letters of recommendation must be presented.

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- b. **Trade Test.** To be conducted by relevant units, as required.
- c. **Academic Test.** To be conducted by the Education Department, G5 Branch.
- d. **Medical Examination.** Only candidates who have been successful at the Academic/Trade Tests will be medically examined. There must be liaison between the Force Recruitment Officer and the Officer Commanding, Medical Corps, to ensure that all medical results are completed on a timely basis.
- e. **Vetting.** All persons applying to fill vacancies requiring a “Commissioned Rank” or other classified appointments are to be vetted.
- f. **Final Interview for Potential Recruits.** This is to be done by a Recruitment Board comprising the Colonel General Staff; Commanding Officer, Training Corps; Force Recruitment Officer or Officer Commanding, General Personnel Department and a civilian representative selected by the Defence Board. This interview should only take place when an applicant has met all the requirements for enlistment. The Recruitment Board must be provided with each applicant’s Personal File, which is to contain the following:
  - (1) A completed application form
  - (2) An initial interview form.
  - (3) Test results (Academic/Trade)
  - (4) Medical report
  - (5) Certified Academic/Trade Certificates. The authenticity of certificates was to be established by the G2 Branch
  - (6) Two recent recommendations
  - (7) Police clearance
  - (8) Other necessary documents, for example “Letter of Discharge” from the Guyana Police Force (GPF) or the Services, Prisons and Fire.

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g. **Approval.**

(1) Upon successful completion of the “Final Interview”, the applicant’s Personal File must be forwarded to the Chief of Staff for his signed approval.

(2) Unit Comds are not to employ persons on their bases, unless such employment is approved by the Chief of Staff. A “completed file” is not the authority for enlistment.

h. **Authority.** The final authority for enlistment is the Force’s Part 2 Orders in which the number, rank, name and location of each recruit/cadet/civilian will be published.

**RELATED CONDITIONS FOR ENTRY**

1020. The following related conditions of enlistment, for both recruits and cadets, are to be noted:

a. **Medical**

(1) Applicants with positive venereal disease findings will not be recruited.

(2) Applicants with positive HIV/AIDS results will not be accepted for training.

(3) An applicant who is tested positive for an illegal substance, for example marijuana or cocaine, in his urine/blood will not be recruited.

(4) Applicants with positive micro-filarial findings will be referred for treatment, and reviewed in not less than ninety (90) days, from the commencement of treatment.

(5) Female applicants with positive pregnancy results will not be recruited.

b. **Criminal Records.** Persons with criminal records may be rejected, depending on the nature of the offence/offences which might have been committed.

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- c. **Aptitude.** Applicants are expected to pass all tests in order to be considered eligible for enlistment. The Guyana Defence Force may provide opportunities for unsuccessful Potential Recruits to undergo remedial training with a view to subsequent enlistment.
- d. **Security.** Applicants may be rejected for security reasons.

### **RECRUITMENT OF FEMALE SOLDIERS**

1021. The existing age range for the enlistment of women in the Force is 18 years to 25 years. However, in exceptional cases, older women may also be recruited.

1022. A female applicant who possesses specialist qualifications, required by the Guyana Defence Force, and is over 25 years of age but not exceeding 32 years of age, can be eligible for enlistment. The recruitment procedure should be thorough, so that only highly skilled women are enlisted.

1023. The female applicant who satisfies the recruitment requirements must be made to undergo a pregnancy test immediately prior to attestation, and should only be taken on strength when the test is certified negative by the FMO. The applicant who is already a mother should only be eligible for enlistment if her last child is over one year old.

1024. The applicant who knowingly makes a false statement or false representation pertaining to her age, or the number of children she has, or who furnishes any document or information which is known to be false, shall on discovery of this irregularity be dismissed from the Force and handed over to the Civil Authority.

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**SEQUENCE FOR ENLISTMENT**

1025. The sequence for enlistment is set out hereunder:

<b>SER</b>	<b>ACTION</b>	<b>ACTION BY</b>
(a)	(b)	(c)
01	Submission and inspection of applications, recommendations, police clearance by Potential Recruits, Cadets.	FRO
02	Initial interview of Potential Recruit	FRO
03	Trade/Academic Tests (as required)	FRO/SO1 G5
04	G2 Branch – Documentation	SO1 G2
05	NIS Documentation	OC Fin Dept
06	Medical Examination	FRO/OC Med Corps
07	Documentation – Q& R Card	FRO
08	Vetting if necessary	SO1 G2
09	Interview by Recruitment Board	Col GS
10	Approval/Publication	COS

**PASSPORTS**

1026. It will be the responsibility of Commanding Officers to ensure that all soldiers under their command possess valid passports. The importance of having a valid passport cannot be overemphasised, especially in cases where ranks are called upon to travel overseas at very short notice. Ranks are to be facilitated in completing the necessary documentation for passports, and applications are to be made on their behalf by their unit headquarters to the Passport Office accordingly.

### **TAXPAYER IDENTIFICATION NUMBERS**

1027. It is compulsory for all potential members of the GDF to have a Taxpayer Identification Number (TIN); it's an important requirement for the payment of salaries in the Guyana Defence Force and at the same time facilitate the conduct of transactions such as for example the procurement of drivers' licences. Therefore, the recruitment personnel enlisting persons in the Force are to ensure that:

- a. the TIN number for each member of the Force is to be published in Part 2 Orders within two weeks of his/her attestation.
- b. applicants are assisted in acquiring TIN numbers from the relevant government agency to facilitate publication in Part 2 Orders, within one month of their attestation.

### **NATIONAL INSURANCE SCHEME**

1028. National Insurance Scheme (NIS) numbers facilitate the proper accounting of contributions made by ranks to the National Insurance Scheme. Therefore, NIS numbers are to be procured and published in Force Orders.

### **AUTHORITY: COMPLETION OF SPECIFIC RECRUITMENT PROCEDURE**

1029. The completion of each aspect of the recruitment process is to be sanctioned by the Officer-in-Charge of the specific unit/department. The signature of the officer-in-charge is to be reflected on GDF Form "Authority: Completion of Specific Recruitment Procedure". The signed document will be used as a guide for the continuation of the recruitment process. **See Annex E.**

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**APPLICATION FOR ENLISTMENT**

1030. A person desirous of being enlisted shall apply to the Officer Commanding, General Personnel Department for service under Section 18, Defence Act, 1977. The Recruitment Officer to whom an application is made shall cause the applicant to fill up and sign the Guyana Defence Force Application Form.

**PROOF OF RECRUIT'S WILLINGNESS TO SERVE**

1031. In the absence of evidence to the contrary, the fact that a recruit has signed the Attestation Paper/ Form and that this has been witnessed by the Recruiting Officer/Designated Staff is proof that he has expressed his willingness to serve. The said Recruiting Officer/Designated Staff shall sign the Attestation Paper once he or she is satisfied that the information therein is fully understood by the applicant, in accordance with Section 18, Defence Act, 1977.

**ENLISTMENT**

1032. An applicant shall not be eligible for enlistment as a member of the GDF:

- a. Unless he is of good character.
- b. Unless he is between the ages of 18 and 25 years. However, consideration for enlistment is to be given to individuals, between the ages 25 to 30 years, possessing skill sets which are in demand by the GDF.
- c. Unless he satisfies such standards of physical fitness as may be specified by the Guyana Defence Force.

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- d. If he is in the service of the Central Government, unless he has obtained from the Government permission for enlistment and also a certificate to the effect that his services will forthwith be made available to the GDF
- e. If he is an active member of either the Guyana Police Force, Guyana Fire Service, Guyana Prison Service or the City Constabulary.
- f. If he has at any time been convicted of an offence involving “extreme immorality” and a sentence other than one of fine or of imprisonment in default of payment of fine has been passed in respect of such offence, such sentence not having been subsequently reversed or remitted or the offence pardoned.
- g. If he has been dismissed from any of the agencies highlighted at Section 1026 e.
- h. If he is on the AWOL, he will be apprehended and tried for absence.
- i. If he is discharged “Service No Longer Required” he/she will not normally be considered.
- j. Provided that the Defence Board, in any case, or any authority empowered by the Defence Board on its behalf, in such cases and to such extent as the Defence Board may specify, may relax any of the ineligibility conditions.

### **METHOD OF ENLISTMENT**

1033. a If the applicant is accepted for enlistment he may be required to sign, along with the “Attestation Paper”, a “Security Declaration” covering his/her service with the GDF.
- b Where the Officer referred to in Section 18, Defence Act, 1977 is satisfied that the applicant understands the questions put to him and consents to the conditions of service, he shall sign a certificate to that effect on the said Attestation Paper, and the applicant shall thereupon be deemed to be enlisted.

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**PERIOD OF ENLISTMENT - CONTRACTUAL SERVICE**

1034. Subject to the provisions of Section 19, Defence Act, 1977, the period of enlistment as a member of the GDF shall be a minimum of three (03) years regular service, from the date of his/her enlistment for service in the GDF.

1035. Provided that the service of any person in the GDF as aforesaid may be extended with the consent of the individual by three years at a time or by such longer periods as may be specified in this behalf by the Chief of Staff, but the maximum period of service of any person in the GDF shall be based on retirement age, for both Officer and Other Ranks.

**VERIFICATION**

1036. The Force Recruitment Officer:

- a. must be satisfied that the application is completed in accordance with the Recruitment Policy and that the applicant is eligible for enlistment and
- b. may make such further inquiry as is necessary regarding the suitability of the applicant for enlistment in the Guyana Defence Force.

**MEDICAL EXAMINATION**

- 1037 a. Where such officer is satisfied that the application is in order, that the applicant fulfils the conditions of enrolment, the applicant will be served with a notice requiring him to present himself for medical examination at a time and place to be specified in the notice.
- b. When a recruit, while undergoing training, is found to be suffering from a disability likely to prevent him becoming an efficient soldier he will be medically

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examined and, if found unfit, discharged in accordance with the General Personnel Policy of the Force.

- c. See Medical Examination Report Form at **Annex F**.

### **REJECTION**

1038. Where such officer is satisfied that the application is not in order or that the applicant does not fulfill the conditions of enlistment or that he is found to be medically unfit for service in the GDF, such officer shall reject the application and shall inform the applicant accordingly. Such applicant shall, however, have a right of appeal against the decision of the officer who rejected his application to the Colonel Administration and Quartering.

### **RECRUITMENT BOARD**

1039. a. AQ Branch. The AQ Branch is primarily responsible for the management of all manpower and personnel procedures associated with recruitment of military and civilian personnel. This Branch is required to:
- (1) Ensure advertisement of GDF vacancies, through the G5 Branch.
  - (2) Ensure a properly constituted Recruitment Board is established and convened in accordance with GDF Personnel Policy.
    - (a) Boards considering applicants for specialist positions should have at least one board member (Technical Officer) from the unit which uses the specific skill.
    - (b) Board members are fixed/statutory with the exception of a “Technical Officer” that may be necessary from time to time.

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(3) Make available “completed personal files” to members of the Recruitment Board or return to General Personnel Department those that do not meet the entry requirements with an explanation for rejection.

(4) Maintain records of Recruitment Board proceedings in a central file within the General Personnel Department.

(5) Provide applicants with letters of non-selection based on results of Recruitment Board proceedings NLT seven (7) days after COS approves the proceedings of the board. Individual disclosures of the Board’s proceedings will not be made prior to COS approval.

(6) Maintain applications of soldiers not selected, at the General Personnel Department. The checklist used to verify initial eligibility will be maintained with applications. These applications may be applied to future vacancies upon request of the soldier, provided documents remain current up to one year only.

(7) See specimen copy of letter inviting potential recruits to the Recruitment Board Interview at **Annex G**.

b. **Recruitment Board Composition**. The Recruitment Board’s composition will be based on the following guidance:

(1) The COS will appoint the GDF members of the Recruitment Board, provide administrative guidance to its Chairman, and approve/disapprove the proceedings of the Board. The COS will also request of the Office of the President a civilian appointee to sit on the said Board.

(2) As a minimum, the board will consist of not less than two (2) appointed members and a secretary, representing the GDF, and a civilian member appointed by the Office of the President. The substantive appointments of GDF statutory members of the board will be published in Part One Orders.

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(3) The Chairman of the Recruitment Board will be the Colonel General Staff and shall include CO Trg Corps and OC GPD, as secretary. Failure to accomplish these criteria will be reported, prior to the sitting of the board.

c. **Force Recruitment Board Conduct.** The Force Recruitment Board will be guided by the following criteria:

(1) Personal appearance, by applicants before the board, is authorised and encouraged but not required. If interview procedures are utilised then all applicants must be interviewed.

(2) Other than personal appearances by applicants for the purpose of interviewing, the Recruitment Board will conduct all proceedings in closed session.

(3) Applicants being considered will meet minimum eligibility criteria on the basis of initial screening by the Recruitment Department.

(4) Upon completion of Recruitment Board action, the COS must review and concur/non-concur with the board's recommendation.

(5) Specimen copies of letters to potential recruits, highlighting their status after interviews by the Recruitment Board, are at **Annex H.**

**ATTESTATION**

1040. Generally, attestation should be done when an applicant has reported for training. The applicant takes the oath or makes a solemn affirmation. The attestation paper is then signed by the applicant in the presence of the Force Recruitment Officer/Designated Staff. A contractual engagement period of no less than 3 years is automatic on enlistment. See Attestation Form at **Annex I.**

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1041. Every person enlisted shall be attested by the Force Recruitment Officer/Designated Staff and for this purpose an oath or affirmation shall be administered to him/her as specified in Part Three of the Attestation Paper.

1042. An entry of the fact that a person enlisted has taken the oath or affirmation directed by this rule shall be documented on the enlistment form signed by him/her and shall be authenticated by the signature of the Force Recruitment Officer/Designated Staff.

1043. The strength increase and postings are then published in the Force's Part 2 Orders.

### **PRE-DETERMINED POSTINGS**

1044. a. As a general rule applicants (potential soldiers) recruited by a unit through its own initiative will be posted to that unit, after recruit training.
- b. Provided that the applicant is technically qualified and has satisfactorily passed the Basic Recruit Course, he/she is likely to be posted to a specialist unit and will be required to undergo training specific to the said unit of the Force.
- c. Each unit has a qualifying standard. A recruit may therefore be accepted for enlistment only in a unit for which he has reached the required standard.

### **CONTINUOUS RECRUITMENT**

1045. Because of the present inability of the Guyana Defence Force to meet set targets for Recruit Courses, continuous recruiting will be conducted at Camp Ayanganna and every other GDF Base/Location. In this regard also, units must continue to assist the Administrative and Logistic Branch in its recruitment efforts.

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1046. Units are not permitted to accommodate and feed prospective recruits while they are being processed for entry.

1047. Prospective recruits are not entitled to pay until their enlistment is approved by the Chief of Staff and their names have been published in the Force's Part 2 Orders.

1048. Prospective recruits should not be given military kit except in instances when potential entrants reside in far flung interior areas (two 2 Physical Training (PT) vests, two 2 PT shorts, 1 pair of plimsols and two (2) pairs of socks). This must be done with the approval of the Defence Headquarters.

1049. Prospective recruits should be sent home after documentation is completed and return to appear before the Recruitment Board.

### **SECURITY**

1050. Units are to ensure that camp security is not jeopardised by recruitment and its related activities.

### **RE-ENLISTMENT**

1051. Former soldiers should be advised to apply in person to the General Personnel Department for re-enlistment. They are not to be grouped with new entrants. However, those soldiers who were discharged based on the category 'Service No Longer Required' may not be considered for re-enlistment. On the other hand, deserters will be apprehended and tried. The procedure for re-enlistment is as follows:

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- a. A former soldier applies in person to the General Personnel Department, Defence Headquarters.
- b. An application form is completed by applicant. Police clearance must be presented.
- c. Interview with the Staff Officer One, Administration, Defence Headquarters.
- d. A blank performance report form is sent by the General Personnel Department for completion by the soldier's last Unit Commander. This is to be returned to the General Personnel Department.
- e. Medical Examination.
- f. Approval by Chief of Staff.
- g. Publication in Part 2 Orders

### **RECRUITMENT OF CIVILIAN EMPLOYEES**

1052. The strength of employed civilians should not exceed ten (10) percent of the authorised strength of the Guyana Defence Force. There will be two categories of employment namely "Permanent" and "Temporary" civilians but relative ratios will be a function of the needs of the Force, at any particular period in time. However, "Temporary Civilians" will not be employed for a period exceeding six months, except with the approval of the Chief of Staff. The following procedures are to be complied with:

- a. A unit must first indicate its personnel requirements to the Branch Head, Defence Headquarters.
- b. The Chief of Staff will deny or approve recommendation for employment. Approval is to be sent to the SO1 G5 for advertisement.
- c. All Medium and High Skill vacancies are to be advertised through the Government Information News Agency (GINA). Unit Headquarters may initiate the

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recruitment of “low skill workers” once the authority to do so has been granted by the Chief of Staff.

d. The Unit HQ is to arrange for the applicant to complete an application form and ensure that he/she produces two letters of recommendation and a valid police clearance. These documents are then to be forwarded to the Force Recruitment Officer, Defence Headquarters along with the Unit Commander’s appraisal on the interview form.

e. Thereafter, the Force Recruitment Officer arranges a medical examination and vetting to be done, as necessary, by the G2 Branch.

f. Depending on the level, the applicant will be required to appear before Civilian Recruitment Board for interview. The file when completed is forwarded to the Chief of Staff for approval of employment. The applicant will be required to sign an employment contract, and be apprised of conditions of service as set out in the “Memorandum of Agreement” between the GDF and the GLU. **See Annex J.**

g. Whenever the GPD has in its possession a list of persons who have been completely processed, vacancies should be filled by those applicants, unless there are peculiar circumstances.

h. The sequence for civilian recruitment is set out below. On no account should serial eleven (11) precede serial eight (8).

<b>SER</b>	<b>PHASE</b>	<b>RESPONSIBILITY</b>
<b>(a)</b>	<b>(b)</b>	<b>(c)</b>
01	Submission of completed application forms.	Applicants/OC GPD
02	Responses sent to applicants	FRO
03	Initial interviews conducted and presentation of; a. Academic/trade certificates, letters of recommendations, police clearance. b. NIS Number/ National Identification Card, or Passport.	FRO – comments recorded on Interview Form.
04	Medical Examination	OC Med Corps

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(a)	(b)	(c)
06	Security Vetting	SO1 G 2
05	Interview by Civilian Recruitment Board, if necessary	Defence Headquarters
06	COS Approval	COS/Col AQ
07	Preparation Contract	OC GPD/OC LSD
08	Publication in Part 2 Orders	Defence Headquarters
09	Signing of Contract	FRO
10	Information on Conditions of Services	FRO
11	Assumption of Duty	Unit Commander

**DEFENCE BOARD ON EMPLOYMENT OF CASUALS (CIVILIANS)**

1053. Defence Board has approved the Defence Headquarters' request to engage the following employment procedures with effect from 2008-06-01.

- a. Civilians casualties shall be employed by the Guyana Defence Force for a period of six (06) months.
- b. Casuals shall only be employed to fill technical/skilled vacancies.
- c. At the conclusion of six months a casual (civilian) may be employed as a permanent civilian or as a military rank only if a vacancy exists, and his/her employment confirms to the Force's Establishment.

**EMPLOYMENT CIVILIANS – AGE RESTRICTION**

1054. No civilians past the age of thirty-five (35) years is to be employed by GDF except in special circumstances, and specifically approved by the Chief of Staff.

**RANKS RETAINED IN A CIVILIAN CAPACITY**

1055. Re-employment will be limited to specific areas of the Force, as dictated by the Chief of Staff and this will be done on a year to year basis. The period of employment will be contracted and employment can be terminated by giving one month's notice. The following terms of agreement will also be applicable:

a. **Benefits.**

- (1) Emoluments will be fixed at the gross salary received prior to retirement.
- (2) Leave and Vacation Allowance will be granted in accordance with appointment and salary, respectively.
- (3) The civilian staff will benefit from salary increases based on emoluments offered to public servants by the government of the day.

b. **Training Courses.** Civilian staff will not be sponsored on external courses.

However, their participation in GDF organised seminars, especially in their area of specialty, is mandatory.

c. **Performance of Duty.** Military personnel re-employed as civilian staff will be assigned duties in keeping with their designation/appointment. They would not be required to perform guard duties nor attend military parades. Civilian staff, however, are to attend muster parades as ordered by their respective Commanding Officers or the Base Commanders, when such parades become necessary.

d. **Transfers/Postings.** Persons re-employed in a civilian capacity can be transferred to locations/departments where the need arises.

e. **Medical.**

- (1) In case of sickness, consideration would be in keeping with NIS regulations.
- (2) Maternity considerations would be in keeping with guidelines set out by the National Insurance Scheme (NIS).

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1056. **Miscellaneous.** Specific considerations are available for both categories of re-employed staff with respect to the nature of assistance through Defence Headquarters, in case of death.

### **CONTRACT OF EMPLOYMENT: PERMANENT AND FIXED-TERM CONTRACTS**

1057. The majority of civilians in the Guyana Defence Force are contracted employees. Some of these are fixed term employees and others are on special contracts. There are also contracts for various services where persons are employed for specific tasks and are paid for actual work done. **See Annex K.**

### **MANAGEMENT OF CONTRACT EMPLOYEES**

**1058.** The following guidance on the management of contract employees is to be noted by all Commanding Officers and Departmental Heads:

- a. Letters of notification of expiry will be issued three (03) months prior to the expiration of a contract.
- b. Unit Commanders/Department Heads will then prepare and send an appraisal of the affected employees of their respective Branches.
- c. Based on the appraisal, the Branch Heads will approve/disapprove of the renewal of the contract. At the same time, a determination is to be made as to their eligibility for any benefits contained therein.
- d. The approval/disapproval will be forwarded to the G1 Branch for action.

### **DISCHARGE CIVILIAN EMPLOYEES**

1059. Contracted civilian employees must comply with the terms and conditions of their contracts, especially where notice of intended cessation of service is concerned. Employees are

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not to leave immediately after pay date since by doing so the Government of Guyana is being defrauded several days pay.

1060. The rule is that if a civilian worker wishes to resign he/she should indicate so in writing one (1) month in advance of the intended date to resign. Workers who fail to honour this agreement will be dismissed-SNLR and legal proceedings will be instituted against them for any monies received, to which they are not entitled.

### **PROBATION**

1061. A probationary period of three months is required by law, and by extension the GDF, unless the parties agree to a different period. A contract can be terminated by either party without notice during probation.

### **SUSPENSION OF THE CONTRACT OF EMPLOYMENT**

1062. The GDF has the right to suspend a civilian employee without pay as a form of disciplinary action when it is reasonable to do so having regard to the nature of the violation, the employee's duty, the nature of any damage incurred and the previous conduct of the employee.

1063. The GDF shall not suspend or terminate an employee, except for disciplinary action and redundancy, respectively. The GDF will not pay wages during the period of suspension.

### **CONTRACT OF EMPLOYMENT: GROUNDS FOR TERMINATION**

1064. A contract of employment, for an unspecified period of time, may be terminated:

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- a. by mutual consent of the parties;
- b. by redundancy;
- c. for good and sufficient cause;
- d. by notice given to or served upon the other party.

1065. Where an employee who is warned in writing commits a similar offence within six (6) months the employer can terminate without notice.

1066. The notice period is two weeks where the employee has been employed for less than one year and one month when he/she has been employed for more than one year. A notice of termination shall not be given by an employer during any period of an employee's absence on authorised leave.

1067. The following reasons do not constitute good or sufficient cause for dismissal or disciplinary action:

- a. An employee's race, sex, religion, colour, ethnic origin, national extraction, political opinion, family responsibility and marital status; age subject to retirement law or agreement;
- b. Pregnancy or reason connected with pregnancy;
- c. Certified sick leave;
- e. Compulsory military service.

## **RECRUITMENT OF APPRENTICES**

1068. **Procedures**

- a. Advertisement in news media.
- b. Application on the prescribed form submitted to the GPD.

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- c. Interview by FRO/Designated Staff, General Personnel Department.
- d. Academic tests in Mathematics, English Language and General Knowledge.
- e. Aptitude Test.
- f. Final interview by a panel comprising representatives of specialist units.
- g. Medical Examination.
- h. Approval by Chief of Staff.
- i. Publication of enlistment in Part 2 Orders.
- j. Written agreement on terms of enlistment.
- k. Attachment to specialist unit for training.

1069. The minimum qualifying age of applicants is 16 years at the point of entry, while 17 years 6 months is the upper limit.

1070. All documentation should be completed by the last date stated above.

**PROFORMA**

1071. Copies of the authorised proforma to be used in the recruiting process are shown at the attached Annexes to this document

1072 – 1075 Spare.

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**PERSONNEL POLICY**  
**CHAPTER 2**  
**CONDITIONS OF SERVICE – OFFICERS**

**GENERAL INSTRUCTIONS**

2001. a. All military appointments, substantive promotions, transfers, retirements, resignations and dismissals are published in the Force's Part 1 and 2 Orders. See additional details at Annex A. Notifications so published will be official for all military purposes. Postings and appointments within the Force will be duly notified in orders or other official correspondence.
- b. An Officer joining the Force will report in person, for instructions, to the Staff Officer One (1), Administration, Defence Headquarters, or any other Officer appointed to such duties at Defence Headquarters.

**FIRST APPOINTMENTS**

2002. Appointments to first commission will be made from:
- a. Successful completion of the Standard Officers' Course or any other similar course of an authorised Officer Cadet School or Academy.
- b. Grant of commissions to serving Other Ranks of the Force.
- c. Grant of commission to university candidates, public servants or officers of other security Forces.
- d. Where the Defence Board considers it to be necessary, a citizen of a Commonwealth country, notwithstanding that he/she is not a citizen of Guyana, may be appointed to the Regular Force for a specified period and may be granted a commission.

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### **STANDARDS FOR COMMISSION**

2003. Persons offering themselves for commissions should satisfy the following conditions:

- a. Attained the age of eighteen (18) years on date of attestation.
- b. Pass a written or any other test or examination and such interviews as may be decided on by the Commissions Board.
- c. Pass a prescribed medical examination.
- d. Be of good character and without criminal conviction in the Civil Court.
- e. Be Guyanese or any other nationality approved by the Defence Board.
- f. Possess at a minimum the General Certificate of Education/CXC in six (6) subjects (Grades 1 - 2) at no more than two sittings; two (2) subjects of which must be English Language and Mathematics. The GDF will consider a Grade 3 in one of the six subjects, but it must not be English Language or Mathematics.
- g. Any other standard or qualification as approved by the Defence Board.

### **COMMISSIONS**

2004. a. The power to grant commissions in the Force is vested in the President of the Republic of Guyana.
- b. Commissions may be granted for an indefinite period or a specified time. The said commission is to be placed in the official gazette.
- c. Every officer on being granted a Commission shall be issued with a commission in the form set out in the Defence Act.
- d. Every officer on being granted a Commission shall be appointed by the President/Commander-in-Chief either to the permanent staff or to the first or second class of the Reserve. In each case, the commission may be permanent or probationary.

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### **TERMS OF COMMISSION**

2005. a. The term for which an officer may be commissioned in the permanent staff shall begin with the date of his attestation and shall be an indefinite period or a specified time provided that such term may consist in parts, and be determined upon completion of a prescribed term of service to the reserve, as approved by the Defence Board.
- b. An officer who had been commissioned for a specified period may, with the approval of the Defence Board, re-engage for a further period of time as be prescribed, provided that any such further period of service does not take the officer beyond the limits of the maximum age retirement as specified by the Pensions and Gratuities Regulations. Such additional period shall be counted as continuous and unbroken and considered as reckonable service.
- c. Any officer whose contract expires during a state of war, insurrection, hostilities, public emergency or any other cause, may be retained in the Force and his/her service prolonged for such period of service as the Defence Board may direct.

### **CATEGORIES OF COMMISSION**

2006. Every officer, on being commissioned, shall be placed in one of the following categories:
- a. **Regimental.** For trained officers who are fit to hold command, combat and staff appointments in any non-technical branch, corps or service.
- b. **Service.** For direct entries who are qualified in some academic or technical field or are seconded from the Public Service, or for persons commissioned from the ranks in Ordnance, Transport, Catering, Engineer or the Band with considerable service and experience.

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### **ATTESTATION**

2007. Every officer on being commissioned shall be required to:

- a. Take the prescribed oath of allegiance or make a solemn affirmation.
- b. Answer questions to and sign the prescribed Attestation Form.
- c. Read and agree to the conditions of service for the GDF
- d. Read and sign the Declaration to the Official Secret Act.

### **REGULATIONS**

2008. Officers of all categories will be:

- a. Subject to military law under the Defence Act.
- b. Required to undergo military instructions including physical drills and academic or other training.
- c. Required to perform all duties assigned to them by the Chief of Staff in accordance with the Force's Regulations or Standing Orders.
- d. Required to conform to the code of conduct for officers of the GDF.

### **SERVICE**

2009. Normally, officers on first appointment shall be granted a commission in the rank of Second Lieutenant and thereafter be eligible for promotion to higher substantive rank.

2010. a. Every officer on being granted a commission shall be appointed by the President and Commander-in-Chief either to the Regular Force or to the First or Second Class of the Reserve. In each case, the commission may be permanent or probationary.

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- b. No authority other than the President shall grant any permanent promotion or commission to any officer.
- c. Temporary and acting appointments and promotions of Officers above the rank of Major shall be made by the President, on the recommendation of the Defence Board. Recommendations for promotion of Officers to the rank of Major and below shall be made by the Officers' Promotions Board, to the President.
- d. No military authority other than the Defence Board can call upon an officer to retire, transfer to the reserve list, relinquish or resign his/her commission or exert any pressure on him/her to do so.

## **RANK**

2011. The types of rank which may be granted in the Force are:

a. **Local**

- (1) When it is necessary to raise the status of an Officer who, by virtue of his appointment, has to deal with officers of higher rank of other Forces or foreign armies, or senior government officials. Local rank will be granted for periods as may be necessary.
- (2) Local rank which confers no financial benefits unless specifically allowed by regulations may be granted:
  - (a) When it is necessary to raise the status of an officer who, by virtue of his appointment, has to deal with officers of a higher rank of other unit or Forces of other foreign countries or senior officials or dignitaries.
  - (b) To certain instructors at military schools.
  - (c) To officers going overseas to take up appointments carrying the rank of Lieutenant Colonel or above, from the date of departure for overseas.

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(d) To officers who are posted to appointments carrying the rank of Lieutenant Colonel or above, from the date of joining the new unit and for the necessary period of takeover.

(e) To recruiting officers when necessary.

b. **Honorary**

(1) To a regular army or permanent list officer on leaving active service on retirement: or

(2) To an advisor or consultant of the Force who may be employed in some administrative duty on a full-time or part-time basis.

c. **Acting.** To an officer who is appointed to fill a vacancy in an establishment which carries a higher rank than his substantive rank, which vacancy may be temporary or which rank is probationary. Additionally, the following are to be noted:

(1) An officer that is eligible for promotion by time will not be granted acting rank except with the approval of the Chief of Staff.

(2) An officer is not regarded as performing the duties of an appointment and so be granted the appropriate acting rank so long as the actual holder of the appointment remains on the posted or permanently attached strength of the unit except that:

(a) When the holder is absent from his unit and is subsequently struck off strength on account of such absence (whether for sickness or other causes)

(b) When the holder has handed over his appointment but remains on the posted strength his unit pending posting to next unit, the appointment will be regarded as having been vacant from the date of notification of absence or the day following the completion of handover as the case may be.

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- d. **Substantive** To an officer who is appropriately qualified for a higher rank and is promoted to fill a permanent vacancy in an establishment.
- e. **Probationary**
  - (1) To an officer of the service category or any other person being commissioned direct from the Public Service or other non-military body.
  - (2) Probationary rank will be considered equal to acting rank in all respects. On completion, of the stipulated period of probation, officers may be given a permanent rank or declared not fit for commissioned service and be returned to their substantive position in the Public Service etc.
- f. See **Annex B** for additional guidelines on retention of substantive rank and honorary promotions.

### **REVOCATION OF TEMPORARY PROMOTIONS**

2012. Based on evidence that an officer's performance has deteriorated, that the officer has engaged in misconduct, or is not functioning at a level commensurate with his/her grade, the Chief of Staff, in addition to any other adverse action authorised by law and regulation may appoint a **Temporary Promotion Review Board** to make recommendations about whether an officer should retain a temporary promotion. If the Chief of Staff concurs with the Board's recommendation that an officer's temporary promotion be rescinded, the officer must serve at the lower grade for a minimum of one (1) year before being considered for promotion in accordance with established policy. Officers who are recommended for promotion by the Board, but who are not promoted are to be considered in future promotion cycles.

### **RIGHT TO PURCHASE DISCHARGE**

2013. The Laws of Guyana chapter 15:01 Section 28: (1) Subject to this Section, a soldier of

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the Regular Force shall be entitled to claim his/her discharge at any time within three months. After the date of his first attestation and if he makes such a claim he shall on payment of one hundred dollars be discharged with all convenient speed, but until discharged shall remain subject to military law under this act.

- a. Provided that the rights conferred by this Section shall not be exercisable within such period (not exceeding two months) beginning with the said date as may be prescribed.
- b. This Section shall not apply to a soldier of Regular Force who was at anytime within three months prior to the date of his first attestation a member of any Commonwealth Force.
- c. Section 22 shall not apply to a soldier discharged under this Section.

2014. Notwithstanding this section 28, a soldier of Regular Force shall not be entitled to claim his discharge pursuant to this Section, while soldiers of that Force are required to continue their colour service under Section.

## **PROMOTION**

2015. Under the Defence Act, an officer may be promoted to the following ranks.

- a. Brigadier
- b. Colonel
- c. Lieutenant Colonel
- d. Major
- e. Captain
- f. Lieutenant
- g. Second Lieutenant
- h. See Subsidiary Legislation **Annex C**

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2016. Special provision will be made for the inclusion of ranks higher than the rank of Brigadier in the Defence Act.

2017. a. Promotion of an officer to the rank of Colonel, Brigadier or higher is by selection for employment in that rank by the Defence Board and approval by the President.
- b. Promotion to the rank of Lieutenant Colonel is by selection and will be awarded to an officer in the rank of Major best suited based on the criteria outlined at Section 2023, and in keeping with the requirement of the Force's Personnel Establishment.
- c. Promotion of Captains to the rank of Major and Lieutenant to the rank of Captain will be based on the criteria outlined at Section 2023, and in keeping with the requirement of the Force's Personnel Establishment.
- d. Promotion of Second Lieutenants to the rank of Lieutenant will also be based on the criteria outlined at Section 2023, even though same may be automatic after a period of two years, as laid down in the Force's Promotions Regulations.
- e. When selections for promotion are made the following points will be carefully examined.
- (1) Whether the officer's past record justifies favorable consideration and particularly whether his/her promotion has been recommended with confidence by officers under whom he/she recently served.
  - (2) Whether the officer is fit in every way to fill any of the appointments likely to be available in the higher rank for which he/she is being considered.
  - (3) Whether taking into consideration the merit, age, and seniority etc of other officers, the officer's promotion is clearly in the best interest of the Force.
- f. In the event that an officer of any rank has not been considered for promotion, he/she should normally be informed. If a substantive Captain is by passed at promotion, his/her supersession will normally be permanent and he/she will be so informed. Subalterns will not normally be permanently superseded.

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- g. Permanent supersession means that the officer will not again be considered for promotion. In certain circumstances, an officer may be temporarily superseded, in which case, the officer will be so informed and will be considered for promotion to fill a subsequent vacancy.
- h. An officer who has attained the age limit appropriate to his rank may on the recommendation of the Defence Board be permitted to continue in the service of the Force.
- i. Responsibility for advising the President on the appointment of persons to “commission” is invested in the Commissions Board and for promotion of officers in the Promotion Board.

### **SERVICE QUALIFICATION**

2018. In accordance with Section 3 of Defence (Officers) Regulations of the Defence Act Chapter 15:01, Officers of the Regular Force will be eligible for promotion to higher substantive rank on completion of the following periods of commissioned service: Save and except for special circumstances authorised by Section 3 of the said regulation.

- a. To Lieutenant after 2 years.
- b. To Captain after 6 years.
- c. To Major after 13 years.
- d. To Lieutenant Colonel and above, on selection only after approval by the Defence Board.

2019. This standard service qualification will be applied to the Reserve Officer.

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### **PROMOTION PROCEDURE**

2020. All recommendations for promotion are to be submitted on the prescribed Proforma at **Annex D**. Single copies of the completed form are to reach the Staff Officer 1, Administration, Defence Headquarters by 31 October, annually. All recommendations for the promotion of specialist officers must be forwarded through the officers' parent Unit or Corps.

2021. Promotion Conference will be held once yearly in the month of November.

2022. The following will comprise the Force Promotions Board for Officers:

- a. Chief of Staff
- b. Deputy Chief of Staff
- c. Colonel General Staff
- d. Colonel Administration and Quartering.
- e. All Lieutenant Colonels
- f. Staff Officer 1 Administration - Secretary

### **CRITERIA FOR OFFICERS' PROMOTION (REGULAR)**

2023. The promotion standards for Officers of the Guyana Defence Force reflect seven (7) significant criteria which are to be considered before an Officer is promoted. These are to be known as the Force's Qualitative Standard (FQS). The criteria are as follows:

- a. **Merit.** The chief criterion is merit i.e. the Officer's ability, the quality of his performance on the job and by extension his contribution to the Force. The evidence of merit will be primarily reflected in the Officer's Annual Confidential Report. Additionally, the top 20% on the Junior and Senior Command and Staff courses will influence considerations for promotion and selection for strategic training.

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- b. **Qualification.** The Officer must successfully complete the appropriate level of training or educational courses, and have the requisite experience for advancement. In instances where Officers are studying overseas, the GS Branch, through the Staff Officer One General One, Three and Five will liaise with the institutions where Officers are being trained to receive reports on the Officers' performance. The overseas student, however, is to submit independent half yearly reports on his/her individual academic performance for courses exceeding six months. Qualification also includes an Officer's ability to analyse ideas and concepts, organise and express his thoughts orally and in writing such as in briefs and the annual service paper. Qualification has no by-pass method. You either qualify or you do not qualify. This criterion also includes satisfactory completion of the Force's Individual Readiness Tests.
- c. **Experience.** The length of time a person spends in a job helps to increase his/her knowledge, enhance maturity and improve performance. This is achieved over a period of time and by the progressive rotation through a variety of appointments. Persons junior in age or service should not be advanced too rapidly to senior appointments unless there is a clear indication of extraordinary ability and an urgent need for such advancement. There must be collective agreement on the level of experience of the Officer, but in any event such parameters are established by the Chairman of the Officers' promotion board.
- d. **Character.** Officers are leaders and hold important positions of national responsibility. In order to be considered for higher rank, Officers must display a sense of judgment, self-discipline, tact, integrity and other moral qualities befitting their role as leaders. This is primarily a subjective assessment and it is the Officer who must be always cognisant of his total conduct as he executes his duties. The test is always whether the Officer's conduct projects a positive or negative image of the Force.
- e. **Suitability.** The cohesiveness of the GDF will be assessed by the responses given by its membership on issues critical to roles and functions. The Officer must subscribe to "one command think" and in so doing demonstrate adaptability and flexibility in the

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subordination of contending views. This in no way means that initiative and independent thought should be suppressed. On the contrary, Officers should be encouraged to contribute in discussions, meetings and other fora where matters affecting the Force are discussed. However, after views are ventilated and decisions are made, all Officers are meant to demonstrate loyalty and “buy in” and support the corporate position.

There are times when the next best Officer (lower on the seniority role) may be more suitable for promotion due to training, specialty, experience and qualification.

f. **Seniority.** Seniority always has significant weight. It is expected that an Officer who is senior has also satisfied all the other qualitative standards. However, this is not always the case and there are some instances (critical appointments) where an assessment of qualification and suitability of a secondary contender could result in the award of a promotion over someone more senior.

g. **Wellness.** Wellness is a combination of physical fitness and compliance with the Force’s Body Mass Index Chart. Physical Fitness is achieved by every Officer and Other Rank satisfying the Force’s Individual Readiness tests (see **Annex G** for BMI Index Chart).

**Note:** Satisfying IRTs, BMIs and completion of Service Papers takes effect from January 2010.

## **INTERVIEWS**

2024. Officers are to be routinely interviewed twice yearly. Interviews are to be recorded in the Officer’s personal file. One interview is specific to career development and the other shall be a mid-year interview covering a wider range of issues but also including a performance appraisal. The career interview is best done in the first quarter of the year. In similar vein, Other Ranks are to be interviewed twice yearly - one being career specific and the other at mid-year covering a wider range of issues including a performance appraisal. Additionally, each Officer or Other

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Rank joining a Unit/Sub-Unit or entering a new appointment must be interviewed by their immediate supervisor and details of the interview duly recorded in their personal file.

2025. During the interview, the Officer/Other Rank must be provided with two copies of his/her list of duties or terms of reference. A signed copy must be returned immediately to the Sub-Unit/unit commander for inclusion in the Officer/Other Rank's personal file after a discussion of the critical tasks and functions associated with the appointment. All appointments within the Force must have a list of duties assigned as established. Critical tasks and functions must be highlighted since these would have a direct bearing on success or failure and would definitely constitute areas of assessment in the ACR/APR.

### **SPECIAL INTERVIEWS**

2026. These are interviews that the Officer or Other Rank can request of his/her Commanding Officer to deal with matters affecting the Officer or Other Rank. Commanding Officers are to respond to these requests, record the findings and take action as necessary. The Commanding Officer reserves the right to call a special interview of a soldier or an Officer as he sees fit. See special proforma report for Officers and Other Ranks at **Annex E**.

### **DISCIPLINE**

2027. Disciplinary action against an Officer or Other Rank in addition to being punitive in some respects is meant to be corrective in promoting changed attitudes. Disciplinary proceedings must bring to the attention of the Officer and rank the nature and severity of the infraction, what correction was necessary to prevent a recurrence and the consequences of repeated offenses of the same nature. Disciplinary action may be administrative or formal. Administrative action includes interviews, Letters of Censure and Rebuke, Formal proceedings includes courts martial

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and summary action by Commanding Officers and Appropriate Superior Authorities. The extent to which an Officer or Other Rank's career is affected will depend on the severity of the offense and the disciplinary action taken. Details of these procedures are documented in the Force's Summary Jurisdiction and Administrative Action Regulations issued separately (see Annex F for Specimen Letter of Censure, Letter of Rebuke).

### **CONFIDENTIAL REPORTS**

2028. a. A confidential report on the prescribed form will be furnished annually to Defence Headquarters on every officer. It will be strictly in confidence between the officers reporting and the officer being reported on, and in no circumstances will be made public.
- b. An interim confidential report may be furnished at any time it is considered appropriate; for example, when an officer leaves a unit before the time prescribed for reporting and it is necessary to bring to notice any particular aspect of the officer's service.
- c. A special confidential report on the prescribed form will be submitted when it is desired to recommend on grounds of inefficiency or unsuitability an officer's removal from his/her unit or appointment or from the service.
- d. The General Personnel Department is to complete Section 1 of the Report and have them distributed by 15 September of each year. Reports are to be submitted to the Officer Commanding, General Personnel Department by the 31 October of each year after which they are to be submitted to the respective Branch Heads and thereafter to the Chief of Staff for the appropriate appraisal. The reports are to be completed in all respects by the 30 November of each year and are to be appropriately used at the respective promotion conferences.

**PREPARATION OF ANNUAL CONFIDENTIAL REPORTS**

2029. Preparation of reports (ACRs) will begin and end with the individual Officer. In order to ensure greater involvement of persons being rated and provide more transparency and accountability the annual performance reports will allow interaction and feed back at several stages during the last quarter of the year. In fact, it is required that supervisors of Other Ranks conduct a mid-year performance interview, while interviews in the first and third quarters are advised.

2030. The Officers' ACR will now have 12 sections. The forms will also be available on the intranet and it will be available to units, for downloading. Ultimately with an enhanced G1 Branch, Officers in the future will be able to access their individual forms with Section 1 completed and can go on to complete Sections 2 and 3 before forwarding to their supervisor's online.

2031. Each Officer is expected to complete Section 2 (Self-assessment and results score card). In order for this to be effective we must revamp our approach to appraisals. First, each job or appointment will have to be reviewed along with the Terms of Reference. For each appointment the critical functions must be identified along with the associated tasks (see annex G). A mere listing of tasks 1-20 in a list of duties is no longer acceptable. By identifying critical functions for each job or appointment the Officer is queued into what is important to succeed (priorities) in the appointment.

2032. As an example, a platoon commander may have 5 or 6 critical functions each with perhaps 5 or 6 tasks. A critical function might be the effective administration of a platoon consisting of 3 Sections and corresponding to that might be tasked related to medical/health

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wellness, leave, pay etc. A second critical function might be to command a platoon in all phases of war. Key tasks could relate to training, organisation and deployment of his Sections etc.

2033. The Commanding Officer, Grade One Staff Officers and Officers Commanding are required to provide to their subordinates in writing their critical functions and corresponding tasks at the beginning of each year. Commanding Officers and others must also provide in writing to their subordinates the goals of the Unit/Sub-Unit and that of the Force as a whole. This is likened to the Commander's intent/vision for his unit/Sub-Unit. It is the Commanding Officer's duty to ensure that all his Officers and Other Ranks are knowledgeable and enjoy full awareness of the issues and activities of their unit.

2034. The Officer conducting a self-assessment rates his individual results on a scale 1-5 in relation to the conduct of his critical functions. He/she then relates his/her performance to the achievement of the Sub-Unit or unit goals and then attempts to rate their individual results in the context of the attainment of global or organisational goals. The cumulative score for this exercise is recorded against the maximum attainable score of 75. In Section 3, the self appraisal, the Officer is allowed the opportunity to critically assess his/her performance and briefly explain/justify the numeric score recorded in Section 2.

2035. In Section 4, using the competency and behavior indicator, the immediate supervisor rates the Officer's performance and attitudes (20 areas of assessment with 3 sub-Sections each) on a scale 1-4. The score achieved is recorded against the maximum attainable score of 240. Section 5 is undertaken during an interaction between the supervisor and the rated Officer. Here the Officer is told of his/her suitability for promotion, higher appointment, training and continued service. The supervisor indicates how well or not he knows the subordinate and in Section 6 the OC adds his comments and signs off on this assessment before forwarding the ACR to the Reviewing Officer or CO.

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2036. In Section 7, the CO adds his comments which may either support or counter the rating by the OC. In Section 8, the CO and OC meet to determine an overall recommendation of a merit appraisal for the Officer ranging from outstanding to unsatisfactory. Section 9, provides feedback to the Officer as the ACR is returned. The Officer provides his/her comments of his/her rating and indicates whether he/she had been interviewed, warned or told of performance gaps during the yearly review period. Section 10 allows for another interaction before the Officer and OC certify that the ACR had been read and discussed.

2037. In Section 11, the Officer's performance is discussed at the Career Review Group (CRG). This will undoubtedly be at the Branch level. Here the COs will be defending their Officers' performance in relation to promotion goals but within the confines of the promotion slots (vacancies) available for each rank level within the unit and the Branch in general. The CRG will approve a merit appraisal ranging from outstanding to unsatisfactory.

2038. Using the bell curve approach, it is expected that most Officers will fall into the category of fully met expectations (average). Those rated as exceeding expectations or outstanding will be automatically considered for promotion, having met all other criteria, while those rated as partially meeting expectation and unsatisfactory must be formally interviewed on their weak performance.

2039. Finally, in Section 12, the process that began with the Officer ends with the Officer certifying that he/she has seen and read the comments of the Career Review Group.

2040. **See Annex H** for specimen copies of the Officers' Annual Confidential Report.

### **PERSONAL FILES**

2041. Officers and Other Ranks' personal files - whether regular or reserve – must be updated and include the most recently completed ACR/APR, recorded interviews, letters of commendation/rebuke and bio-data. Incomplete files may result in the non-promotion of an Officer or Other ranks and will be the direct responsibility of the Officer who is in command.

### **PROMOTIONAL EXAMINATIONS**

2042. Promotional Exams will be conducted at all levels up to the rank of Major. See guidelines for Officers' promotion standards and examination at **Annex I**.

### **FAILURE TO QUALIFY**

2043. An officer who is not qualified by examination, or who is not recommended for promotion, will not be promoted and his case will be referred to the Defence Board, who may call upon the officer to resign his commission. Only in exceptional circumstances will an officer who is permitted to continue to serve be allowed to retain or to obtain any local or temporary rank higher than his substantive rank.

2044. An officer who for reasons beyond his own control has not had three reasonable opportunities to qualify before the date on which he would otherwise be eligible for promotion may at the discretion of the Defence Board be allowed further opportunities to sit for the qualifying examination. Provided he qualifies not later than the third reasonable opportunity he may be granted seniority that restores him to such seniority as he would have had but for the delay in his promotion, or to such seniority as the Defence Board may decide. Such seniority shall not reckon for pay, increase of pay, allowances or non-effective benefits.

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2045. Where an officer has been unable to prepare for the prescribed examinations owing to active Force he may, when his turn arrives, be promoted subject to his qualifying at the earliest opportunity. In the event of subsequent failure to qualify at the earliest opportunity, his promotion shall be revoked, but he will retain the pay of higher rank to the date of revocation.

### **SPECIAL CONSIDERATION**

2046. An Officer can be promoted based on 'Special Considerations'. This category includes 'age in rank' for Officers who possess critical skills needed by the Guyana Defence Force. The Officer who is identified for 'Special Consideration' must also meet the promotion standards which have already been alluded to, in this document. This caveat is to be applied guardedly since potentially it can influence morale in a very negative way, especially at levels where there are serious bottlenecks.

### **RELATIVE PRECEDENCE – GENERAL**

2047. a. The ranks of officers of the Guyana Defence Force are those set out in the **Defence Regulations 1967** and are repeated at Annex I, along with those of the soldiers of the Guyana defence Force.
- b. Any rank or rating specified in any column of the abovementioned schedule corresponds with the ranks or rating specified in relation to it in the other columns of that schedule (see Annex A to this chapter);
- c. Officers holding substantive rank are to take precedence over all those holding temporary, acting or local rank of the same grade. They are to take precedence among themselves according to their date of seniority in that rank;
- d. Officers holding temporary or acting rank are to take precedence over all those holding local rank of the same grade and are to take precedence among themselves

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according to the date of their appointment;

e. Officers holding local rank of the same grade are to take precedence among themselves according to the date of their appointment to that local rank; and

f. Where two or more officers are of the same seniority their precedence, one with the other, shall be based on their date of birth, the eldest being the most senior.

### **RELATIVE PRECEDENCE – OFFICERS OF THE REGULAR FORCE AND THE RESERVE**

2048. Officers of the Regular Force are to take precedence over officers of the Reserve of the same rank.

### **RELATIVE PRECEDENCE – OFFICERS OF THE RESERVE**

2049. a. Officers of the First Class are to take precedence over officers of the Second Class of the same rank; and

b. An officer of the permanent staff is to take precedence over the officers of the same rank in the unit to which he is appointed equivalent or corresponding rank according to their respective dates of appointment to their rank.

### **SENIORITY AND PRECEDENCE**

2050. All Officers' seniority will be considered in accordance with the dates of promotion in their respective rank. Should two Officers of the same rank be promoted on the same date, their precedence shall be determined by the date of their commission, if this is identical, then precedence will be determined by age.

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2051. An Officer's substantive rank will take precedence over all those holding acting, probationary, local and honorary rank.

2052. Seniority in rank shall count for reckonable service as well as promotion from the Officer's eighteenth birthday or the date of his commission in the Force whichever is later.

### **LOSS OF SENIORITY IN RANK**

2053. The 'Loss of Seniority' by an Officer will negatively affect his upward mobility. However, the Officer's loss of seniority will only achieve its maximum impact when compared to the relative seniority of his/her batch mates. The affected Officer will cease to have the same seniority. The said loss of seniority shall be calculated from the date when his batch is promoted. Special circumstances will not obviate an individual's loss of seniority.

2054. The Officer's loss of seniority will also be reflected in his/her downward slide in the Force's Seniority Listings. An Officer who, among others is promoted at the same time but is senior by age, will automatically become junior to them should he lose 'seniority'. Depending on the extent of seniority lost and time (date) when punishment is awarded, he/she may also be superseded by an Officer who would have been promoted subsequently. Bear in mind that when an Officer is promoted to a higher rank it vitiates his/her previous loss of seniority. When the period of loss is completed his/her record must be removed from the Register.

### **LOSS OF SENIORITY IN APPOINTMENT**

2055. An Officer may also lose seniority in appointment within his Unit. It is a legitimate punishment at the Appropriate Superiority Authority (ASA) level. It is the ASA who will finally determine the type of loss of seniority. In this regard, an Officer's loss of seniority in

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appointment may see him moving from SO 1 acting to an SO 2 or from a Company Commander to a Company 2IC or from a Senior Pilot to a Junior Pilot. This category of loss will impact on the earnings of the Officer but not his eligibility for consideration for promotion to higher rank once he subsequently satisfies all the standards.

### **APPOINTMENTS**

2056. Officers may be rotated through appointments in the Force as part of their career development. Rotation provides for greater and better development of the Officer to serve the Force. Officers should spend at least two (2) years in an appointment except where an Officer is acting for a substantive holder of an appointment.

2057. Similarly, Sergeants and above should spend at least two years in an appointment as part of their career development.

### **LETTERS OF APPOINTMENT**

2058. Ranks of the Guyana Defence Force up to the level of sergeant, as well as all civilians shall each receive a letter of appointment. A copy of the said letter of appointment is to be signed by the Colonel Administration and Quartering/ Staff Officer One, General One and placed in his /her personal file at the Confidential Registry or the General Personnel Department, as necessary. The letter of appointment must include the following:

- a. GS Salary Scale
- b. Allowances to be paid.
- c. Duration of Appointment, if necessary.

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2059. The letter of appointment will originate at Unit Lines and Defence headquarters but must all be signed by the Col AQ/SO1 G1 and sent to the Officer Commanding, Finance Department and the Supervisor of Sub Treasury for action.

### **TRAINING**

2060. For Officers to hold higher positions, they must receive training appropriate to their rank and functions.

2061. There are three (3) all-arms' courses for all Officers. This means that all officers are required to attend and pass them before becoming eligible to hold higher rank, except in special circumstances such as a direct Commissioned Officer to the Regular or Reserve in a specified category. These all-arms courses are in addition to the specialised training required of officers in their various Units. These courses are:

- a. Standard Officers' Course.
- b. Junior Command and Staff Course
- c. Senior Command and Staff Course.

2062. An officer will also be required to undergo military training including physical drills. National policy instruction at home or overseas as may be considered necessary by the Defence Board.

### **SELECTION FOR TRAINING/SEQUENCE- GENERAL**

2063. Officers and Other Ranks must parade for interviews once short listed by the standard Force Interview Panel (FIP) responsible for such interviews. Interviewees must be provided with an overview of the nature of the training offered and a record is to be made of this interview.

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The interviewer must record the reason for non-selection or refusal of training. The detailed procedures for Education Scholarships are as follows:

- a. Approval of nominee by Unit Commander
- b. Approval by Force Education and Training Board.
- c. Approval by Defence Board.
- d. Completion by Unit Commanders of the required re-engagement period of the nominee. Copies of signed Re-engagement Form are to be done and sent to the nominee, SO1 G1 and Unit File.
- e. Submission by nominee of a signed copy of re-engagement to SO1 G3, if it is military training being sponsored.
- f. Submission by nominee of a signed copy of re-engagement to SO1 G5, if it is academic training to be sponsored.
- g. Submission by SO1 G3 or SO1 G5 depending on type of scholarship, to Col AQ for publication in Force Orders.
- h. Preparation of Movement Instructions for each student by SO1 G3 for military scholarship and the SO1 G5 for academic scholarships.
- i. Attendance by nominee on the relevant training is only authorised after the completion of “a” to “b”. It is a breach of the Orders for any rank to attend any institution without completion of “a” to “h”.

### **RETURN OF SERVICE/CONTRACT- GENERAL**

2064. All training granted by the GDF to Officers and Other Ranks attract a period of return service or contract. For MST and LST the period of contractual service is determined by the length of the sponsored programme. For the HST the period of contractual service is determined by the cost of the Course.

**TRAINING DERIVATIVE LICENCES (TDL) - GENERAL**

2065. All licences earned through training offered to Officers and Other Ranks are the property of the Force and not that of the Officer or Other Rank. These licences will be returned as property of the Officer or Other Rank after completion of the determined contractual period. Officers and Other Ranks with licenses derived from GDF training will hold these licences to operate the Force's equipment and not those of other entities.

2066. Using a GDF "paid for licence" to operate equipment of other entities is improper, contravenes training policy and is to cease immediately save and except specific approval is granted by the Chief of Staff. All such licences will now be held by the Force until the contractual period is completed, to ensure the protection of GDF's property rights. These licences include:

- a. Marine and Air Pilot Licences
- b. Merchant Marine Licences
- c. Marine and Air Engineer Licences

2067. All contractual periods will be respected.

**USE OF FIRST NAMES: MEMBERS OF THE GDF**

2068. The first and last names of all members of the Guyana Defence Force must be printed on every document as required by the Force. The said names are to follow their natural order, as there is no longer the need to for the last name of Other Rank to be placed at the end. For example 22314 LCPL Smith K A will now be referred to as 22314 LCPL Kendrick A. Smith. Middle name must be shown by their initials.

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2069. There is no longer any need to place “W” before the name of a female military/civilian member of the Force since all first and last names will now be printed in full 99249 W/Major L Garraway and Woman Civilian George F A will now be referred to as 99249 Major Lorraine Garraway and 30302 Faye A. George, respectively.

### **POSTING AND TRANSFERS**

2070. a. An officer has no claim to serve in any particular Corps or Unit of the Force. He/she will be posted as the requirements of the Force may dictate.
- b. A regular Regimental subaltern will normally not be extra-Regimentally employed within two years of his/her appointment to a regular commission.
- c. After completion of two years service in any post, it will be open to an officer to submit a written application to serve with any particular unit provided he/she is qualified to fill a vacancy on the establishment of that unit.
- d. A male rank married to a serving female rank, may not seek permission to have his wife serve at the same base, and vice versa. However, strong consideration is to be given for any request by a female rank to be based close to her matrimonial home.
- e. An application from an officer to transfer from one branch of the Force or one corps to another will be forwarded to the DHQ through the normal channels.
- f. Applications will show the officer's reason for requesting the transfer and will be accompanied by the recommendations of his OC and CO: the latter will certify that the transfer recommended does not originate as a result of any cause affecting the honour, character and efficiency of the officer. In each instance the applicant is to state for how long he is prepared to do duty if transferred; which shall be no less than twelve months.

2071. Members of the Guyana Defence Force may be transferred as a consequence of the following:

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- a. Need for movement from one class (Regular or Reserve) as provided for in the Force's regulations.
- b. A rank that is unsuited to his employment or deemed redundant to his unit may be posted or transferred in order to give him suitable employment.
- c. A rank's employment may be changed for the following reasons:
  - (1) Recommendation by a Psychiatrist.
  - (2) Redundancy resulting from a reduction in the establishment.
  - (3) Lowering of his medical standard.
  - (4) Failure to maintain trade qualifications.
  - (5) In the interest of discipline.
  - (6) In the interest of the Force.

### **SPECIALISATION**

2072. The Force now embraces training based on occupational specialty. Military Occupational Specialty (MOS) merely refers to qualification or proficiency to perform a specific job at a particular level of competence. By refocusing on specialised training the Force would be better positioned to assess and measure growth in the individual Officer and rank. Specialisation also guarantees relative permanence of tenure which in turn can positively affect the growth and development of the Sub-Unit and unit.

2073. Every area of the Force requires a given degree of specialty for the Officer and Other Rank to be deemed proficient. Proper career selection based on the Force's need, individual preference, suitability, qualification and balance should guide the initial decision to post a newly trained Officer or soldier to a particular unit. Selection of personnel will be done two months into the training on the Basic Recruit Course (BRC) and nine months on the Standard Officers' Course (SOC).

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2074. After an Officer or Other Rank is posted to a unit, it is the responsibility of the unit commander to ensure that the Officer or soldier receives progressive training in their areas of specialty. In the case of the Officer, he/she will be trained up to the point where they can efficiently serve in the unit before they are moved into another area of the Force consistent with their individual development.

2075. Officers and Other Ranks who fall into the High and Medium Skills Transfer (HST and MST) categories are unlikely to be transitioned to other areas except at a high level within the Force or where there is limited growth potential such as ITD and Signals. Notwithstanding the above, Officers trained in specific areas must spend maximum service time possible in that area of specialty. Arguably, there will always be need for multi-dimensional soldiers in many units such as the Infantry and Special Forces. In cases where an Officer or soldier has more than one specialty, the DMOS or Duty Military Occupational Specialty would refer to the current job he/she was performing e.g. a signaler who was an infantryman. However, in order to retain more than one specialty the Officer or Other Rank would have to re-qualify periodically in keeping with the established standards.

### **CHANGING SPECIALTY**

2076. A rank may be allowed to change specialty on account of a medical condition or chronic disease that affects their ability to operate in certain high stress, physically demanding units on the recommendation of the Commanding Officer and based on a thorough assessment conducted by the FMO. Where a soldier fails to qualify at the Grade 3 level he or she may be allowed to switch to another specialist field. However, this discretion is to be exercised on behalf of Defence Headquarters by the G1 in consultation with the G3 or G4 depending on units involved and based on a recommendation from a Commanding Officer.

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2077. Specifically, an Officer or Other Rank who changes his/her specialty at any stage of his/her career would lose all benefits/allowances of the his/her previous MOS. In such cases, the Officer or Other Rank will now be required to qualify in the new specialty at the lowest MOS level. Unit commanders are required to inform their subordinates of this process via recorded interviews.

### **EMPLOYMENT OF RANKS UNDER OTHER GOVERNMENTS: GENERAL**

2078. Ranks will not be employed under any government other than Guyana except when such employment has been sanctioned by the Defence Board. The conditions to be observed in such cases will be notified by the Office of the President. In the absence of any general sanction an individual application must specify the nature and expected duration of the employment. In cases of pressing necessity abroad, the secretary, Defence Board, may provisionally sanction the rank pending Defence Board's approval. In either case no rank is to be employed unless he is a volunteer and signs an acknowledgement before the employment begins that he is willing to serve under the conditions laid down.

### **DISCIPLINE**

2079. All officers may be disciplined in accordance with the Defence Act. The following points are set out for guidance.

- a. Every officer is to be acquainted with the purpose of Sections 33 to 76 of the Defence Act.
- b. The provisions of those Sections will, from time to time, be explained to officers and particularly to newly commissioned officers on first joining their units, so as to preclude the possibility of ignorance on their part of the additional offences and

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punishments to which an officer renders him/her liable by becoming subject to military law.

c. The purport of Sections 172-174 of the Defence Act will similarly be explained to officers, who will also be reminded at the same time of the proper methods by which they may, according to the custom and personal problems to the attention of their superior commanders.

### **LEGITIMATE ABSENCE: MEMBERS OF THE DISCIPLINED SERVICES**

2080. Officers and Other Ranks of the disciplined services must fulfill the following conditions to enable their legitimate absence from military service for a period in excess of 6-12 months.

- a. No pay leave for academic pursuits in areas unrelated to Military skills and knowledge.
- b. Prolonged sick leave authorised by Medical Board, NIS as invalidity.
- c. Official studies leave with pay for academic pursuits in areas related to military skills and knowledge.
- d. Secondment to a Public Service and Government Agency for a period less than one continuous year.

### **REDRESS OF COMPLAINTS**

2081. a. The manner in which an officer should proceed to obtain redress if he thinks himself wronged in any matter is prescribed in Sections 172-174 of the Defence Act.
- b. When claims are advanced they will be fully and distinctly stated and such explanations will be annexed as may be necessary with a view to their being duly investigated and adjusted as soon as practicable. Anonymous complaints are strictly prohibited.

**RE-ENGAGEMENT**

2082. The Guyana Defence Force consider an application for re-engagement by any rank who has completed or is within the prescribed period before completing a prescribed term of service, providing he/she is of good character. The said re-engagement period is to be a minimum of three (3) years but shall not exceed twelve (12) years. See Re-engagement Form at **Annex H**. The foregoing criteria shall not affect ranks who have served twenty (20) years or longer, since this group is to be exempted.

2083. Officers and soldiers must have a determined period of re-engagement noted in his/her “personal file through a commander’s interview and publication in Force Orders. The agreed re-engagement period will be a new contracted time between that rank and the GDF. The rank must sign the interview form stating the re-engagement period for placement in the personal file and publication.

2084. The re-engagement period of an Officer or Soldier will dictate what type of training, appointment and benefits that will be available to such an Officer or soldier. It must also be noted that the absence of a re-engagement form an Officer or a Soldier’s personal file will disqualify such a person for consideration to be promoted to higher rank

2085. Contract-free officers and soldiers who have not re-engaged and have signaled their desire to leave the Force within a three year period will be interviewed by his Commanding Officer. The officer or soldier shall indicate to his commanding officer the remaining period of time he intends to serve the Guyana Defence Force. Such period will be used for processing his/her termination of service from the GDF. The Force reserves the right to have him/her separated at an earlier or later date, as necessary.

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### **RE-ENGAGEMENT PERIODS FOR TRAINING SCHOLARSHIPS**

2086. Officers and soldiers identified to attend institutions of higher learning must re-engage on the date of commencement of such training. Persons undergoing training, but not limited to the following areas shall require a fresh re-engagement period commencing from the date of approval for such raining.

- a. Command and Staff
- b. Technical Education
- c. Academic Education
- d. Maritime Education
- e. Aviation Education
- f. Agricultural Education,

2087. The re-engagement periods for the above areas are:

- a. Four (4) years training programme – nine (9) years re-engagement
- b. Three (3) years training programme – nine (9) years re-engagement
- c. Two (2) years training programme – six (6) years re-engagement
- d. One (1) year and less training programme – three (3) years re-engagement
- e. Aviation Pilot – nine (9) years re-engagement
- f. Aviation Engineers – nine (9) years re-engagement

### **RETIREMENT**

2088. Under the Defence (Pensions and Gratuities) Regulations 1974, Part 11 Section 12, it shall be compulsory for officers to retire at the following ages in their substantive ranks:

- a. Officers of or above the rank of Lieutenant Colonel - 55 years
- b. Majors and Captain - 50 years

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- c. Lieutenants and Second Lieutenant - 45 years

2089. Under the same Section as above, an officer may be permitted by the competent appointing authority to continue as a member of the Force with the approval of the Defence Board. However, he/she is not to be advanced further in rank beyond his/her substantive rank on retirement.

2090. An officer may retire:

- a. On completing the minimum service for pension or gratuity by submitting an application, through the normal channels, to the Chief of Staff, six months in advance of the date in which he/she wishes to retire, or such lesser periods as may be stated in the Regulations.
- b. Officers below the rank of Colonel retiring on pension are eligible for service in the reserve as provided for in the Regulations.
- c. An officer may retire on completing fourteen (14) years of service and be eligible for pension and gratuity once he/she has reached the age of retirement.
- d. An officer may retire after completing under fourteen (14) years (but not less than eight (8) years of service), and qualify for a gratuity, once the officer has reached the age of retirement.
- e. An officer may request separation from the Force after completing twenty (20) years of military service, and qualify for pension and gratuity. Such an approval is not cast in stone but rather is an entitlement but a privilege and can be denied by the Defence Board.

## **REMOVAL**

2091. An officer may be removed from office and his service in the GDF terminated by order of the Defence Board in any of the following circumstances:

- a. On conviction by court-martial
- b. On conviction by the civil courts.
- c. On the abolition of his office.
- d. Compulsorily, in order to effect improvement in the organisation of the Corps to which he/she belongs.
- e. On the grounds of permanent disability or ill health, certified as likely to be of a permanent or recurring nature.
- f. On the grounds of public interest.
- g. On the grounds that his/her services, for any other reason, are no longer required.

## **PROCEDURE FOR PREMATURE TERMINATION OF SERVICE**

2092. The circumstances revealed at a trial of an officer by court martial may cast doubt upon his suitability for retention in the Force, although the sentence did not include dismissal. The procedure to be followed is shown below:

- a. Where an officer has shown himself by his actions to be unfit to hold his commission administrative action is to be taken to terminate his service, and the fact that a court has already awarded a punishment for an offence in connection with the same set of circumstances is in no way to act as a bar to this action.
- b. On promulgation of a court martial sentence which reflects adversely on the integrity or reputation of an officer, a commanding officer is immediately to make a report to higher authority, even if redress is being sought by the convicted officer.

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c. The absence of any such report from a commanding officer does not preclude a higher authority, when considering the facts in light of the officer's whole service background, from deciding that appropriate action should be taken to terminate his service.

d. Exceptionally, even though trial by court martial has resulted in an acquittal, it may be considered undesirable to retain an officer in the Force in view of the circumstances which are not in dispute, relating either to the officer or the incident for which he was tried. In these circumstances the commanding officer should report his views to higher authority through the chain of command.

### **PAY ALLOWANCES AND OTHER BENEFITS**

2093. See Chapter 6.

### **CLOTHING AND EQUIPMENT**

2094. a. An officer will be provided with clothing, equipment and arms by the Force as prescribed in separate Regulations.

b. On termination of service for any reason, all public and service property issued in the course of or for the performance of duty, shall be returned. An officer shall be liable to pay for the replacement of any deficiencies.

### **ACCOMMODATION**

2095. A bachelor officer will be provided with appropriate living quarters. Married officers will be provided with service quarters, if available. If not, they will be entitled to receive a Rent Allowance.

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### **LEAVE**

2096. An officer will be eligible for vacation leave in accordance with conditions set out in this document.

### **REGIMENTAL OR BASE DUTIES**

2097. a. Every officer below the rank of Lieutenant Colonel will be eligible for Regimental or Base duties as may be prescribed by the competent military authority.
- b. Conditions for the performance of these duties are set out in Regimental Standing Orders.

### **REPORTING**

2098. The proforma for reporting on Officers is at Annex C

2099. Unless otherwise specified, reports are to be prepared annually and returned to Staff Officer Administration, DHQ by 31 October each year. All officers are to see the remarks of the Initiating Officer before reports are forwarded to DHQ.

2100 – 2105 Spare.

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PERSONNEL POLICY

CHAPTER 3

PROMOTION APPOINTMENT COMMAND: OTHER RANKS

**PROMOTION**

3001. a. **Substantive Rank:** The quota of substantive ranks for each unit is authorised by the Promotions Board in relation to the overall establishment of the unit. Promotions are to be controlled by Defence Headquarters in respect of regular soldiers. See Annex A for the Promotional Standards of Other Ranks.
- b. **Acting Rank**
- (1) Acting rank may be granted to a soldier who is posted into or who is appointed to fill a vacancy in an establishment which carried a higher rank than his substantive rank. Normally, acting rank can only be granted when a soldier with the appropriate substantive rank is available to fill a vacancy.
  - (2) A soldier holding an acting rank will be entitled to all the pay, allowances and privileges of that rank except that it will not be reckonable for purposes of determining his seniority.
  - (3) Acting ranks will be relinquished on the date the holder ceases to fill the vacancy for which the rank was granted except during terminal leave where the soldier has held acting rank for one hundred and eighty (180) consecutive days, immediately preceding terminal leave.
- c. **Local Rank**
- (1) Local rank carries no entitlement to pay, allowances or pension rights. It may be granted by a Commanding Officer in those circumstances where it is desirable to exceed, temporarily for purposes of training or prestige, the number

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of ranks or appointments authorised in an establishment or to provide a higher rank than that allowed.

(2) For disciplinary purposes, no account is taken of local rank. If a soldier is to be tried for an offence he will be tried in his/her substantive rank.

(3) Local rank will be relinquished on the date that the holder ceases to fulfill the function for which local rank was granted.

### **REMOVAL FROM RANK OR APPOINTMENT**

3002. a. **Procedure.** When a substantive or acting NCO by reason of unsuitability or inefficiency of a nature which does not warrant disciplinary action is undeserving of retention of his/her substantive or acting rank, his/her CO may after giving him/her ninety (90) days notice in writing to that effect, apply to the Chief of Staff for his/her reduction in rank: such an application will state the rank to which reduction is recommended and will be accompanied by the following document:

- (1) A full statement from the CO giving his reasons for recommending reduction.
- (2) A copy of the warning notice.
- (3) A copy of the conduct sheet and the record of service of the NCO.
- (4) Any statement that the NCO may wish to make.
- (5) The recommendations of intermediate commanders.

b. **Authority.** In such cases of inefficiency or unsuitability the Commanding Officer may:

- (1) Order any NCO to assume the next lower substantive rank, in the case of a substantive NCO.
- (2) Order any NCO or soldier to relinquish any acting rank which he/she may be holding and to revert to his substantive rank.

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- (3) Order any NCO or soldier to be removed from any appointment which he/she may be holding and to assume any other appointment to his/her rank.
- (4) Order any Lance Corporal to be reduced to the rank.

### **PROMOTIONAL EXAMINATIONS**

3003. Promotional Examinations for Other Ranks will be conducted at all levels up to the rank of Warrant Officers Class 2. These examinations will be conducted in the second and third quarters each year. Failure to pass is a disqualification from promotion. At the Other Rank level the promotion examination will be the examination for the Academic Education Programme (AEP). Promotion from Private to Lance Corporal requires a pass at a promotion examination that is the same as Level 1 of the AEP. Promotion from Lance Corporal to Corporal requires a pass at a promotion examination that is the same as level 2 of the AEP and promotion to Sergeant requires a pass at a promotion examination that is the same as level 3 of the AEP and so on to Warrant Officer Class 2 and 1.

3004. Levels 1 to 5 of the AEP are the same as Forms 1 to 5 in the Secondary Education System in Guyana and provide a second chance to complete a high school education. The promotion exam can be done at any time and even before attainment of the rank but the soldiers must satisfy all the other Force criteria before being considered eligible for promotion. If a soldier passes a promotion examination it means he has passed his AEP and if he passes his AEP then he does not have to write the promotion exam. He must do one of the two exams, not both. This will definitely promote competition among all ranks. However, in the case of Other Ranks who are unable to pass Level 1 and 2 such ranks will be given an opportunity to acquire a skill under the Force's Technical Vocational and Education Training (TVET) programme (See annex C). This will be offered only to ranks who have completed at least three (3) years of service to

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the Guyana Defence Force. The TVET programme will be conducted by the 4 Engineer Battalion of the Force.

3005 Examples of all promotional examinations will be posted on the GDF Website, sent to Unit Headquarters and published in the “Soldier and Force Orders”.

### **CRITERIA FOR OTHER RANKS’ PROMOTION (RESERVIST)**

3006. The criteria for promotion of Reservists should be based on the following:

- a. **Performance.** This should be the main criterion for promotion. The reservists work must be of a high quality and at the same time he/she must display the ability to hold higher rank.
- b. **Military Qualification.** Promotion to higher rank will also be based on successful completion of training courses, the minimum of which must be met. A reservist must be able to carry out basic military duties during periods of internal unrest and in Defence of the country.
- c. **Trade Qualification/Status in Community.** The official position and prestige of reservist must be taken into consideration and should be equated with rank. This chiefly applies to specialist who may not be called upon to go to the ‘front’ but will be providing skills in other areas. However, it is necessary that such persons undergo the proposed military course in order to better appreciate their roles.
- d. **Experience.** Reservists should improve their ability and maturity with the length of time they have ‘active’. On the other hand experience and rank in the regular Force should be taken into account. A person must be fully grounded in a particular rank before he/she is promoted to the next.

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**PROMOTION BOARD**

3007. The Reserve's Promotion Board will be chaired by the Deputy Chief of Staff and in his absence the Colonel General Staff and shall include:

- a. Colonel Administration and Quartering
- b. Commanding Officer 2<sup>nd</sup> Infantry Battalion
- c. Staff Officer One General One
- d. Staff Officer One General Three
- e. Staff Officer One General Five
- f. Force Sergeant Major
- g. RSM 2 Infantry Battalion

**PROMOTIONAL PROCEDURES**

3008. The procedures outlined for Officers' Promotion are to a large extent applicable to Reservists. The submission of Annual Confidential Reports will also be done for this category of officers.

3009. All recommendations for promotion are to be submitted on the prescribed Proforma as shown at Annex D, Chapter 2.

3010. The general guideline for submission is as follows:

- a. The incomplete APRs are to be made available to Units/Departments by 1<sup>st</sup> September, annually.
- b. Completed APRs, including recommendation for promotions (20 copies each) - are to be submitted to the Staff Officer One, Administration by the 2<sup>nd</sup> November, annually (see Annex A for Promotion Proforma).

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3011. Promotions Conference will be held once yearly in the month of November.

**PREPARATION OF ANNUAL PERFORMANCE REPORTS**

3012. The Reservists' self-appraisal will precede an interview/discussion with his/her respective Commander/Department Head aimed at arriving at a final evaluation, which will also consider the Commander/Department Head's perception of the Soldier.

3013. The foregoing approach speaks to a team effort, which will enhance objectivity and transparency. This process is to be done every quarter to facilitate the individual's monitoring of his own progress and allowing him an opportunity to self correct.

3014. The assessed reservist must attain sixty (60%) overall to pass the above evaluation and to be considered for promotion, once he/she is eligible. The record of the final evaluation, along with all other supporting documents, must be properly inserted in the individual's Personal File.

3015. Soldiers who are in disagreement with the outcome of the final evaluation and have evidence to support same can appeal to his/her Commander's Commander for review of the said evaluation.

3016. See Annex H, Chapter 2 for a copy of the Reserve Other Ranks' Annual Confidential Report.

**PROMOTION EXAMINATION**

3017. Promotional Exams do not apply to the Reserve Other Ranks.

### **PROMOTIONAL STANDARDS**

3018. The document showing the Other Ranks promotional standards matrix is at Annex A.

### **SPECIAL CASES**

3019. In the interest of the Force if their services are required, reservists not qualified may be considered on an individual basis, for promotion, for these, separate and individual reports must be presented.

- a. Medically unfit/disabled reservists.
- b. Reservists of mature age.
- c. Reservists whose services are needed urgently.

### **DISQUALIFICATION**

3020. The following should be disqualified for promotion:

- a. Reservists who are facing any major disciplinary charge before either a civil or military court.
- b. Reservists who have been reduced in rank within less than six (6) months.
- c. Reservists who have not been 'active' within six (6) months before the scheduled date of promotion.

### **OTHER GUIDELINES**

3021. a. To be considered for promotion, Reservists would have to be active - attending Weekend Training, Annual Camps, organised Force and Unit Training, Operational and other activities.

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- b. Soldiers who are unable to attend qualifying courses because of medical reasons will be considered for promotion based on the experience criterion.
- c. A soldier who is reduced in rank for disciplinary reasons will not be eligible for promotion before six (06) months have passed since the reduction.
- d. A soldier will not normally be required to act in a rank for more than twelve (12) months before being advanced to substantive if qualified.
- e. A soldier may be promoted directly to the substantive rank between Private and Corporal.
- f. Specialist elements will be considered for promotion once they have completed the requisite qualifying courses.
- g. The Promotion Board has the right to promote or recommend the promotion of a soldier based on special circumstances.

**SPECIAL LEAVE FOR TRAINING IN THE RESERVE**

3022. Public servants enlisted in the Reserve, GDF should be released from duty for training when required, as follows:

- a. when embodied for full-time service; and
- b. annually, (annual camp or course of instructions in lieu of 10, 14 days and additional training up to 12 days).

3023. During periods of training under paragraph 1 a, the employees shall receive either their civil pay or their army pay, whichever is greater. Those whose civil pay is greater shall be paid, in addition to their military pay (exclusive of allowances, if any), such portion of their civil pay as will bring their total emoluments from public funds up to the total of their civil pay.

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3024. During periods of training under paragraph 3021 b, the employees shall receive both their civilian and military pay.

### **PERSONAL FILES**

3025. Generally, Officers and Other Ranks personal files - whether regular or reserve – must be updated and include the most recent completed ACR, recorded interviews, letters of commendation/rebuke and bio-data stats. Incomplete files may result in the likely non-promotion of an Officer or Ordinary Rank and will be the direct responsibility of the Officer who is in command.

### **TRAINING**

3026. There are two categories of training for the reserve Other Rank as follow:

- a. Regional Reserves Training Centre (RRTC).
- b. Annual Camp Centralised Training (ACCT).

3027. The RRTC will be the main plank for Other Rank reserve training. It means the bulk of the training will be done at the Regional Reserves Training Centers. Training of the Other Rank reserve must be designed in keeping with the roles, mission and tasks of the Reserves and graduated in such a manner as to qualify him/her as a reserve PTE/LCPL/SGT/SSGT/WO2 and WO1. The key to success is in the respective course designs and the training must be relevant to each respective role.

3028. The duration of the reserve Other Rank training courses will be dictated by relevance and content of the training modules. Affiliations and attachments to military and civil installations must also form part of the training content of the Other Rank reserve. Where a reserve Other

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Rank is posted to a regular appointment his/her further training will be dictated by the conditions of the regular but, like the Officer/soldier who changes his specialty, significant time will be required to achieve that result. An example would be as Corporal from the reserve who is posted to a regular appointment will have to first satisfy the regular training standards for a Corporal before such an appointment can be filled.

3029. Annual Camp Centre Training allows for the management of all trainees in one location in order to validate training done and provide opportunity for inter-operability and knowledge transfer. The annual camp training can be held in any location controlled by the Reserves. A reserve Other Rank is required to attend an Annual Camp only after he/she has completed a prescribed period of training in a definite category – e.g. Reserve Private Course, Reserve Lance Corporal Course etc.

### **DELEGATION OF AUTHORITY**

3030. Commanders and their staffs, at all levels of command, are responsible for ensuring proper delegation of authority to NCOs by their seniors. This policy applies whether the senior is an officer, WO, or another NCO.

### **NON COMMISSIONED OFFICER SUPPORT CHANNEL**

3031. a. The Other Ranks channel of command parallels and complements the chain of command. It is a channel of communication and supervision from the CSM to PI SGT then to other NCOs and enlisted personnel of the units. Commanders will define responsibilities and authority of their NCOs to their staffs and subordinates. The Other Ranks channel of command will assist the chain of command in accomplishing the following:

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- (1) Transmitting, instilling, and ensuring the efficacy of the professional army ethic.
  - (2) Planning and conducting the day-to-day unit operations within prescribed policies and directives.
  - (3) Training of Other Ranks soldiers in their MOS as well as in the basic skills and attributes of a soldier.
  - (4) Supervising unit physical fitness training and ensuring that unit soldiers comply with the stipulated weight and appearance standards.
  - (5) Teaching soldiers the history of the GDF, to include military customs, courtesies, and traditions.
  - (6) Limited caring for individual soldiers and their families both on and off duty.
  - (7) Teaching soldiers the role of the unit and developing individual training programmes to support the said role.
  - (8) Accounting for and maintaining individual arms and equipment of Other Ranks, and unit equipment under their control.
  - (9) Administering and monitoring the NCO professional development program, and other unit training programs.
  - (10) Achieving and maintaining competence, and commitment.
- b. The following are broad responsibilities, command functions, and scope of duties of NCOs:
- (1) **Force Sergeant Major**. This is the senior sergeant major grade of rank and designates the senior Other Rank position of the Army. The sergeant major in this position serves as the senior adviser and consultant to the Chief of Staff.
  - (2) **Regimental Sergeant Major**. This position title designates the senior NCO at battalion or higher levels. He or she carries out policies and standards, and advises the commanding officer on the performance, training, appearance,

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and conduct of Other Ranks. The Regimental Sergeant Major is responsible for the unit Non commissioned Officers' Professional Development.

(3) **Company Sergeant Major.** The position of Company Sergeant Major designates the senior NCO at company level. The Company Sergeant Major's principal duty is the individual training of Other Ranks of the sub-unit.

(4) **Platoon Sergeant.** The platoon sergeant is the key assistant and adviser to the platoon commander. In the absence of the platoon leader, the platoon sergeant commands the platoon.

(5) **Section, Squad, and Team Leaders.** These direct leaders are the NCOs responsible at these groups.

c. NCO disciplinary policies are shown below.

(1) NCOs are important to maintaining discipline in the Army. The policies prescribed in this subparagraph should be considered together with the provisions of chapter 15:01.

(2) NCOs are essential to furthering the efficiency of the company, platoon or troop. This function includes preventing incidents that make it necessary to resort to trial by court-martial or to impose non-judicial punishment.

(3) In taking corrective action with regard to subordinates, NCOs will be guided by and observe the principles set forth in the "Rules of Procedure"

**RELATIVE PRECEDENCE – SOLDIERS**

3032. a. Holders of substantive rank will be senior to all holders of the same acting rank, who in turn will be senior to all holders of the same local rank;

b. Seniority between those of the same substantive rank will be determined in accordance with their dates of promotion to that rank. Where the date of promotion to the substantive rank is the same, seniority will depend on the date of graduation. Where

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all the criteria aforementioned are equal seniority will be decided by date of birth, the eldest being the most senior.

c. Seniority between those of the same acting or local rank will be respectively determined in accordance with their dates of promotion to that acting rank or the date on which their local rank was granted. When the date is the same, seniority will depend on the date of commission/graduation. Where all the criteria aforementioned are equal seniority will be decided by date of birth, the eldest being the most senior.

d. Warrant officers and non commissioned officers of the regular Force are to take precedence over warrant officers and non commissioned officers of the same rank of the Reserve; and

### **TRANSFERS AND POSTINGS**

3033. a. A soldier may be transferred or posted from one unit or location to another at the discretion of his/her Commanding Officer.

b. Persons may only be transferred from one class to another as provided for in the Force's regulations.

c. A soldier who is unsuited to his employment or deemed redundant to his unit may be posted or transferred in order to give his suitable employment

d. A soldier's employment may be changed for the following reasons:

- (1) Recommendation by a Psychiatrist.
- (2) Redundancy resulting from a reduction in the establishment.
- (3) Lowering of his medical standard.
- (4) Failure to maintain trade qualifications
- (5) In the interest of discipline.
- (6) In the interest of the Force.

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**STATE WARRANT**

3034. A state warrant is a title conferred on a Warrant Officer. This conferral is to be done annually, at the same time when new Second Lieutenants would be receiving their “State Commission” at the Office of the President or at another venue identified for the said purpose. The eligible Warrant Officer Class Two is to be interviewed by a panel comprising individuals in the following appointments:

- a. Col GS - Chairman
- b. Col AQ
- c. CO 1 Inf Bn
- d. SO1 G5
- e. SO1 G1 - Secretary
- f. FSM

3035. The panel, established by Defence Headquarters, is to consider the following criteria:

- a. The Warrant Officers must be a substantive Warrant Officer Class two.
- b. He/she BMI score must be no more than 27.
- c. He/she must be of an “Acceptable Personal Appearance” (APA).
- d. He/she must not have any disciplinary matters.
- e. He/she must have received a positive ACR.

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**PERSONNEL POLICY**  
**CHAPTER 4**  
**MILITARY DISCIPLINE AND CONDUCT**

**MILITARY DISCIPLINE**

4001. Military discipline is rounded upon self-discipline, respect for properly constituted authority, and the embracing of the professional army ethic with its supporting individual values. Military discipline will be developed by individual and group training to create a mental attitude resulting in proper conduct and prompt obedience to lawful military authority.

4002. While military discipline is the result of effective training, it is affected by every feature of military life. It is manifested in individuals and units by cohesion, bonding, and a spirit of teamwork; by smartness of appearance and action; by cleanliness and maintenance of dress, equipment, and quarters; by deference to seniors and mutual respect between senior and subordinate personnel; by the prompt and willing execution of both the letter and the spirit of the legal orders of their lawful commanders; and by fairness, justice, equity for all soldiers, regardless of race, ethnic origin, gender, or religion.

4003. Commissioned officers will need to set an example for subordinates in all aspects of their professional and personal behaviour. To do so will require self-discipline and observance of military regulations. GDF helps prepare young men and women for this role by focusing on the need for self-discipline and by showing them how to work effectively within a framework of military order by choice rather than by compulsion. Officer Cadets, for example, are expected to conduct themselves as adults. For a small minority who conduct themselves in an unacceptable manner there can be verbal reprimands, remedial instruction or training, administrative consequences such as a notice to show cause or censure and, when necessary, formal trial and

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punishment under the provisions of the Defence Force Discipline Act. Punishments awarded under the Act are those that apply to all members of the GDF, mitigated where appropriate by recognition of factors such as maturity, lack of knowledge or experience and the nature of the operational and administrative environment.

### **REMARKS OR CRITICISMS ON SUPERIORS**

4004. No Rank is to make any remark or any criticism which may tend to bring his superiors into contempt. No Rank is to say or do anything which, if heard or seen by or reported to those under him, might discourage them or make them dissatisfied with their condition or with the Force on which they are or may be employed.

### **CONFLICTING ORDERS**

4005. If a Rank should receive an order from a superior which, though not in itself unlawful, he considers to be at variance with his obedience to any article in this policy document, or with any particular order that may have been issued by the Defence Board or other superior officer, he is to represent the matter orally, or in writing if there is no urgency, to the superior officer who gave him the order. If he is then directed again to obey the order, he is to do so; but if he deems it necessary, he may report the circumstances to the relevant person through the proper channel.

### **CORE VALUES OF THE GUYANA DEFENCE FORCE**

4006. a. These are the cornerstones of the Force. They are the guiding beliefs and principles that give us strength, influence our attitudes and regulate our behaviour. Officers, warrant officers and non commissioned officers are to uphold and promote these core values amongst themselves and those under their command at all times.

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- b. The core values of the Guyana Defence Force are:
- (1) **Discipline.** The value that provides motivation, esprit-de-corps and high morale.
  - (2) **Integrity.** The Guyana Defence Force expect all ranks to strive to achieve the best performance possible in their chosen military and degree studies rather than simply to aim for an average grade. They are also expected to behave honourably in their academic program and not to engage in the serious offence of academic misconduct, as explained in the education policy. This value also implies soundness of character, high principles, honesty, sincerity, reliability, moral courage and consistency of approach.
  - (3) **Identity.**
    - (a) Officers and soldiers are always citizens. They are distinguished by their uniform and have a duty to wear it proudly. Their positive identity will contribute to the public's confidence in the Force – individually and collectively – that their security is assured. They must never dishonour their uniform.
    - (b) The identity of members of the Force is defined further by their dedication to duty. This requires them to perform their lawfully assigned mission without regard for personal danger and by their focus on achieving success in conditions of adversity and extreme hardship.
  - (4) **Loyalty.** The unquestionable allegiance and faithfulness of one comrade to another irrespective of rank, and to the organisation.
  - (5) **Duty.** Duty is the most important value in the GDF. It represents the obedience or respect a rank shows towards the Guyana Defence Force, and his conduct based on moral or legal obligations. Ranks must display dedication and discipline in performing their duty and must be prepared to lay down their lives, if necessary, to achieve the mission.

## **OFFICER QUALITIES**

4007. Officers are required to demonstrate qualities that are indicative of exemplary character and value as leaders of the GDF. In short, the particular qualities are:

- a. Adaptability – the ability to adapt confidently to changing situations under normal and stressful conditions.
- b. Initiative – the ability to influence, by originating action, events to achieve goals beyond those called for.
- c. Integrity – the ability to separate right from wrong and to act accordingly.
- d. Determination – the ability to apply oneself to a purpose and be resolute in the pursuit of personal goals and the achievement of designated tasks.
- e. Professionalism – the ability to set and maintain the high standards expected of officers in the GDF.

## **OBEDIENCE**

4008. All members of the GDF have an obligation to obey legal commands. However, this should not be confused with blind obedience. At every level of the GDF, ranks are encouraged to develop a capacity for critical analysis, to understand when operational circumstances will demand an unquestioning response, to listen and accept the good advice of subordinates and to understand how to dissent, to challenge or to suggest alternatives to superiors when appropriate. Drill is one of a number of techniques used to demonstrate and develop powers of command. Tertiary education and leadership training are used to develop critical powers and to learn how to motivate, inspire and lead others without undue recourse to the formal, legal authority symbolised by military rank.

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### **MILITARY COURTESY**

4009. a. Courtesy among members of the Guyana Defence Force is vital to maintain military discipline. Respect to seniors will be extended at all times.
- b. Care is taken at GDF to ensure that military formality is not exaggerated and is kept at a level consistent with the need to reflect normal GDF practice and to maintain military discipline and order. Compliments are paid in the normal GDF manner by saluting out of doors, while saluting indoors is limited to occasions associated with infrequent formal reports, inspections or summary trials. There is no requirement for a Second Lieutenant and a Lieutenant to salute each other.
- c. The actions of military personnel will reflect respect to both the National Anthem and the National Colours. The courtesies extended to an officer by his subordinate, should be rendered the National Colour and National Anthem at public events whether the rank is off or on duty, whether he or she is in or out of uniform. Intentional disrespect to the National Colours or National Anthem is conduct prejudicial to good order and discipline and discredits the military service.

### **ATTITUDES TOWARDS SUBORDINATES**

4010. Officers, warrant officers and NCOs are to adopt towards subordinates such methods of command and treatment as will ensure respect for authority and foster the feelings of self respect and personal honour essential to military efficiency. They are not to use intemperate language or adopt an offensive manner. Officers and warrant officers are not to be reprovved in the presence of subordinates. Similarly NCOs are not to be reprovved in the presence or hearing of private soldiers.

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**SOLDIER CONDUCT**

4011. a. Ensuring the proper conduct of soldiers is a function of command. Commanders rely upon all leaders in the GDF, whether they are on or off duty or in a leave status, to:
- (1) Ensure all military personnel present a neat, soldierly appearance.
  - (2) Take action against military personnel in any case where the soldier's conduct violates good order and military discipline.
- b. The senior officer, WO, or NCO will act promptly, using such means as are available, to restore order.
- c. On public conveyances in the absence of military police, the person in charge of the conveyance will be asked to notify the nearest military police and arrange to have them take custody of military personnel guilty of misconduct. If necessary, the person in charge of the conveyance will be asked to stop at the first opportunity and turn the offender over to local police. In all such cases, the local police will be advised to telephone (collect) the nearest army location or army headquarters. The purpose is to ensure the commanding officer of the accused is notified.
- d. When an offence endangering the reputation of the Army is committed elsewhere (not on a public conveyance), civilian police will be requested to take the offender into custody when military police are not available.
- e. When military police are not present, the senior officer, WO, or NCO present will obtain the number, rank, name and location of the offender. This information and a statement of the circumstances will be sent to the soldier's commanding officer without delay. When the offender is turned over to the civilian police, the above information will be given to the civilian police for transmittal to the proper military authorities.
- f. An individual who has been charged and placed before a civil court with a criminal offence is at once to report the circumstances to his commanding officer. In the

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case of an officer the commanding officer is to decide whether the circumstances justify interdiction from duty.

### **PAYING OF COMPLIMENTS**

4012. All Ranks are required to pay compliments to officers who are senior in rank to themselves. In particular, it is to be noted that the standard of paying compliments reflects on the discipline of each unit and the Force in general. The following are to be noted:

- a. The practice of “bracing up” whilst in uniform and wearing headdress is prohibited. In such circumstances Ranks are to salute their senior officers;
- b. Compliments are to be given and returned punctiliously and in the prescribed manner. Where, from physical incapacity, a right hand salute is impossible, the salute is to be given with the left hand;
- c. Where a group of Ranks encounter a senior officer or a group of senior officers, they are all to salute together in a smart, military manner. The salute will be returned by the senior officer, or in the case of a group of senior officers, by the most senior officer;
- d. Ranks entering or leaving an officer’s office are to salute the officer in question (if present) upon entry and prior to departure. The same applies for entry or departure from any office in which there are officers present;
- e. Where an officer enters an office or mess, all Ranks who are junior in rank are to stand up upon the entry of the senior officer;
- f. All Ranks, upon passing, or being passed by, the Presidential Standard or Regimental Colours, are to stand and salute. The same applies in relation to caskets which are draped in the National Flag;
- g. During the playing of the National Anthem, Ranks are to stand to attention and officers in uniform are to salute. However, where the Anthem is being sung as a hymn there is no requirement to salute.

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- h. Ranks riding bicycles are required to pay/return compliments; they are to do so by adopting the position of sitting to attention on the bicycle, retaining both hands on the handlebar and remain looking to the front for the duration of the salute;
- i. Ranks who are passengers in motor vehicles are required to salute/return salutes. They are to sit to attention for the duration of the salute; and
- j. No Rank is required to pay compliment whilst he is driving a motor vehicle.

### **ORDERLINESS**

4013. A standard of orderliness is expected of all members of the GDF. This relates to not only their personal appearance, in uniform and civilian clothing, and accommodation; but also in terms of their capacity to be punctual, to stand by commitments they make, to manage their time effectively and the manner in which they relate to others. Significant factors in the requirement for orderliness are hygiene, safety and the need to prepare them for the environments in which they will live and work after graduation.

### **ACCEPTANCE OF GIFTS, REWARDS AND HOSPITALITY**

4014. a. Members of the Force, when acting in an official capacity, should not be placed in a position where their actions might give the impression to anyone, inside or outside the Force, that they may have been or might be influenced to show favour or disfavour to any person or organisation by the receiving of any gift, reward, hospitality, loan or other consideration. Personnel should have regard not only to whether they feel themselves to have been influenced, but also to the impression that their actions will create on others.
- b. The acceptance of a gift, reward, hospitality or other considerations will be allowed only in exceptional circumstances and, when personnel receive such offers, they should normally be refused. Where refusal might offend the giver, the item should be

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accepted and then surrendered to the Office of the Colonel Administration and Quartering.

c. Any offer that can be construed as an inducement or bribe (including offer of lavish hospitality) is to be reported immediately to the commanding officer.

d. The same considerations apply to offers made to relatives or friends, where those offers are made because of a relationship or association with a member of the Guyana Defence Force.

### **GIFTS TO UNITS**

4015. Sums of money and gifts in kind offered to units for general welfare purposes are not to be regarded as subject to the above mentioned provisions. Gifts may be accepted provided that they are administered under the unit's fund. There is no restriction on the expenditure of such gifts beyond what may be specified by the donors.

### **NON MILITARY ACTIVITIES**

4016. a. No member of the GDF is permitted without the express permission of the Chief of Staff to take official cognisance or to assist officially any activities conducted by private associations

b. Ranks may not give displays at local fetes or exhibitions without the permission of the Commanding Officer. An officer or warrant officer is to be present at any such display.

### **NON-FORCE SOCIETIES**

4017. Military personnel may as individuals hold membership of non-Force societies, but the formation of branches or lodges of such organisations, or the holding of private meetings by members of such organisations, is not to be permitted in military installations.

### **RELATIONSHIP WITH NON ARMY BUSINESS**

4018. Serving members of the GDF must at all times guard against being placed in such a position as may leave them open to the suspicion of being influenced in the discharge of their duty by other than purely public considerations. They must be scrupulously careful in their relationships and in any private dealings with government contractors and their agents or employees. If a rank, in the course of his duty, has to come into contact with any matter concerning a business organisation in which he has an interest he is to disclose that interest to his superior officer and ask that some other person may deal with the case

### **RELATIONSHIP WITH NON FORCE BUSINESS**

4019. a. Serving personnel must at all times guard against being placed in such a position as may leave them open to the suspicion of being influenced in the discharge of their duty by other than purely public considerations. They must be scrupulously careful in their relationships and in any private dealings with Government contractors and their agents or employees. They are forbidden to furnish testimonials to any company, firm or person in respect of the quality of commodities supplied for Force purposes.
- b. If a member of the regular Force has, in the course of his duty, to come into contact with any matter concerning a business organisation in which he has an interest, he is to disclose that interest to his Commanding Officer and ask that some other person

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may deal with the case. He should not be permitted to deal with the case without the approval of the Defence Board.

### **ACCEPTANCE OF BUSINESS APPOINTMENTS**

4020. A member of the regular Force may not, without authority, accept any continuous employment for profit during the period of his service. Subject to separate instructions by or through the Chief of Staff, he may not:

- a. Carry on any profession, engage in trade or accept any profitable employment;
- b. Be a member of a governing body or a director of any corporation, company or undertaking, or of any partnership engaged in any trade or carrying on any profession;
- c. Assist, advise or act directly or indirectly as agent for any corporation, company, partnership, undertaking, or individual which or who is carrying on any profession or is engaged in trade or is profitably employed.

4021. An application for special approval under *para 4020* must contain an undertaking that:

- a. The applicant's private business will in no way interfere with his Force duties.
- b. He will take no part in activities connected with the firm which could give rise to suspicion that he has used or could use his Force knowledge to further his own business interests or those of his firm.
- c. He will take no part in transactions between the firm and the Force or any departments or branches of the Government or any semi-public organisation brought into being by the Government. The applicant must also confirm that he understands that no special facilities such as leave of absence will be granted to him and that approval will not debar his being required to serve, whether afloat or ashore, at home or abroad.
- d. He will inform his new Commanding Officer of the nature and extent of his business activities each time he is posted or attached.

### **INSURANCE COVERING CIVIL EMPLOYMENT**

4022. The Office of the President will in no circumstances accept any responsibility for injury, loss or damage sustained by Force personnel or for injury, loss or damage to other parties or to property arising in the course of or out of the activities of such personnel during employment outside their official duties. The Commanding Officer should therefore advise them to ensure that they are adequately covered by insurance.

### **EMPLOYMENT DURING TERMINAL LEAVE**

4023. Ranks leaving the regular Force may accept permanent or temporary civilian employment with a government agency only on the authority of Defence Board. In the case of private employment, ranks are encouraged to inform the GDF as a matter of courtesy. The foregoing, however, are subjected to the following conditions:

- a. The provisions on insurance in *para 4022*;
- b. For officers only, the business appointment rules described in *paras 4020 and 4021*;
- c. Force uniform must not be worn;
- d. The Force must not be brought into disrepute;
- e. Prior permission must be sought, through the chain of command, from the Defence Board if:
  - (1) The employment involves participation in a commercial advertisement;
  - (2) The employment is with a foreign Government;
  - (3) The employment is with a civilian organisation involved in a trade dispute.

**ACCEPTANCE OF APPOINTMENTS TO PROFESSIONAL ORGANISATIONS**

4024. Where a member of the regular Force has been invited to serve in an appointed capacity on the board or executive of any professional organisation, he must first apply to and receive permission from the Defence Headquarters, through his Commanding Officer.

4025. Professional organisations in this regard refers to any national or other body governing activities such as sports, social work and Forces etc, or advisory bodies to the Government of Guyana.

**TRADING WITH THE GUYANA DEFENCE FORCE**

4026. Under no circumstances will any member of the regular or reserve Force be permitted to engage in any form of trade or agreement for profit with the Guyana Defence Force except as otherwise provided for in regulations.

4027. Under no circumstances will the Guyana Defence Force accept liability for damage, loss or injury to members of the Force or to any other parties or to property, whilst such members of the Force are engaged in any activity permitted in *para 4026*, nor will the Force accept liability for debts or financial losses.

4028. In no circumstance may a member of the Force who, in his private capacity as partner in a firm or shareholder or director in a company, deal in his official capacity with any negotiation or arbitration in any matter affecting a contract with, or purchase from, or sale to, that firm or company.

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### **MONEY LENDING**

4029. All ranks are forbidden from:

- a. engaging in the lending of money to and the borrowing of money from their subordinates, and
- b. engaging in the business of money-lending with other ranks involving the demand or payment of any interest amount, by whatsoever name called, in excess of the principal sum lent, except however where the money-lending transaction by or with the Rank is in respect of a duly licensed person or financial institution.

### **LEGAL ACTION BETWEEN RANKS**

4030. A members of the Guyana Defence Force is likely to become involved in a dispute with colleagues, during his/her tenure in the Guyana Defence Force. Ranks are encouraged to use the provisions outlined in the Defence Act, if necessary, to settle their grievances before resorting to the legal option, which must be the very last resort.

### **GAMBLING**

4031. a. Except as provided in sub para b. all forms of gambling and bookmaking (or acting as an agent for a bookmaker) are forbidden in units.
- b. Any proposal to hold any other form of gambling is to be referred to the Commanding Officer. If he agrees to the proposal, he is to issue such instructions as he considers necessary and to ensure that the provisions of the civil law are complied with. Outside Guyana, he is to satisfy himself that there is also no infringement of local law.

**INTOXICATING LIQUOR**

4032. It is forbidden to introduce intoxicating liquor into any part of military barracks or camps, other than mess premises, institutes and married quarters.

**NARCOTICS AND CONTROLLED SUBSTANCES (SEE DRUG POLICY)**

4033. It is forbidden for Ranks to cultivate, manufacture, possess, sell or traffic in any narcotic or controlled substance, particularly those specified in the Dangerous Drugs Act. Ranks are also forbidden to be a party to activities relating to the cultivation, manufacturing, storage, selling, distribution, or trafficking in any such substances.

**UNACCEPTABLE BEHAVIOUR**

4034. Commanding Officers are to ensure that the behaviour of members of their unit is always maintained at a high level in the best interests of the Force. Any activity which may bring the Force into disrepute or cause offence to the public, local civilians, or other members of the Force, is not acceptable. Commanding Officers are to issue such orders as are necessary to ensure that the highest standards of the Force are maintained.

4035. Any officer or soldier who behaves in a manner which his Commanding Officer considers to be unacceptable is to be warned of his future conduct and if necessary a report is to be submitted.

4036. In aggravated cases, or cases in which individuals persist in such activities after a warning has been given, those individuals should be considered for administrative discharge.

**MAINTENANCE OF ORDER**

4037. The military police patrols are authorised and directed to apprehend the Defence Force's members who commit offences punishable under Defence Act 15: 01. Officers, WOs, NCOs, and petty officers of the Guyana Defence Force are authorised and directed to quell all quarrels, frays, and disorders among persons subject to military law and to apprehend participants. Those exercising this authority should do so with judgment and tact. Personnel so apprehended will be returned to their respective units as soon as practical, for disciplinary actions to be taken.

**EXERCISING MILITARY AUTHORITY**

4038. a. Military authority is exercised with promptness, firmness, courtesy, and justice. Resorting to trial by court-martial will not be done for trivial offences, except when less drastic methods of administering discipline have been unsuccessful.
- b. One of the most effective non-punitive, corrective measures is extra training or instruction (including on-the-spot correction). For example, if soldiers appear in an improper uniform, they are required to correct it immediately; if they do not maintain their barrack room area properly, they must correct the deficiency in a timely manner. If soldiers have training deficiencies, they will be required to take extra training or instruction in subjects directly related to the shortcoming.
- (1) The training, instruction, or correction given to a soldier to correct deficiencies must be directly related to the deficiency. It must be oriented to improving the soldier's performance in his or her problem area. Corrective measures may be taken after normal duty hours. Such measures assume the nature of training or instruction, not punishment. Corrective training should continue only until the training deficiency is overcome. Authority to use it is part of the inherent powers of command.

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(2) Care should be taken at all levels of command to ensure that training and instruction are not used in an oppressive manner to evade the procedural safeguards applying to imposing non-judicial punishment. Deficiencies satisfactorily corrected by means of training and instruction will not be noted in the official records of the soldiers concerned.

### **PARTICIPATION IN SUPPORT OF CIVILIAN LAW ENFORCEMENT AGENCIES**

4039. Commanders are to encourage their subordinates to report any information which is likely to benefit civilian law enforcement agencies. This also includes evidence of alleged criminal activity involving:

- a. persons subject to Military Law.
- b. military property.

### **CODE OF CONDUCT: GDF PERSONNEL AND MEMBERS OF THE GPF**

4040. All members of the GDF are subordinate to members of the Guyana Police Force where the members of the GPF are executing their duties of law enforcement. Military personnel are to co-operate fully with the Police when they are executing their duties of maintaining Law and Order.

4041. Whenever a member of the GDF is challenged by a member of the Guyana Police Force, he/she must comply with the instruction given by the latter. The GDF rank is to say, if possible to senior police officer that "I am a security member of the GDF stationed at BC (A), BC (S). My CO is Colonel George Lewis, my ID card is on me personally which I would like to show you".

**PROSECUTION OF MEMBERS OF THE GDF**

4042. Whenever a member of the GDF is arrested for an alleged crime or offence, or whenever any incident involving such members is reported to the police, the Divisional Commander concerned will immediately and in any case within twenty-four (24) hours from the time of such reports, inform the GDF Duty Officer, and Force Control for communication to the Chief of Staff and the Deputy Commissioner Law Enforcement. The latter will consult the Commissioner on the question of instituting criminal proceedings.

4043. Less serious matters, the prisoners will be handed over to the Duty Officer, GDF. This action will be followed by a report in writing together with all available statements within seven (7) days to the Deputy Commissioner Law Enforcement, who will examine the evidence and if necessary submit the papers to the senior Legal Advisor for his advice.

**COURT ATTENDANCE: GDF RANKS**

4044. a. When an individual receives, otherwise than through his commanding officer, a summons issued by a civil court in respect of an offence, he is to report the matter immediately to his commanding officer in order that the necessary arrangements may be made for his attendance at the court and for other relevant Force action to be taken as prescribed in the regulations. He is also to inform the commanding officer if he intends, where appropriate to plead guilty.
- b. If at a time when required to attend in person at a civil court in whatever capacity, the individual concerned is (or expects shortly to be) under orders to proceed outside Guyana or otherwise outside the jurisdiction of the court, he is to so inform his commanding officer without delay. The commanding officer is to immediately report the facts to the higher authority. Anyone who proceeds outside Guyana (or on deployment

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on the border) without advising his commanding officer that he is to attend court may be called upon to bear any expense which may result.

c. Accused members of the GDF who are charged and have to attend court, military or civil, must be accompanied by a relatively senior personnel from his/her unit. This is a unit responsibility and failure to ensure appropriate attendance will result in sanctions against the responsible unit. Liaison between the accused unit's Headquarters and LSD is encouraged to avoid "time wasting".

d. Except for attendance at court martial, accused members of the Force and those accompanying them shall be formally attired (slacks with long/short sleeved shirts and tie). This form of dress is deliberate and is intended to minimise any perceived pressure being brought to bear on members of the judiciary. Colleague sympathisers are to be similarly dressed but must first seek permission to visit the court as a show of support.

### **OFFICER CONVICTED BY THE CIVIL POWER**

4045. a. Every case in which an officer has been found guilty by a court, other than court martial, of any offence, including a case where a community sentence has been awarded or he has been discharged, absolutely or conditionally, is to be reported by his commanding officer with full details to the Chief of Staff.

b. The Chief of Staff should report to the Defence Board all cases which are in his opinion sufficiently serious to be so reported having regard to the following considerations:

(1) Whether the offence would have merited trial by court martial or whether if the case was dealt with summarily, a substantial punishment would have been awarded.

(2) In the case of convictions by the court outside of Guyana, whether the proceedings and the concepts of justice generally in the country concerned were

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in basic accord with the standards prevailing in Guyana. Only in exceptional circumstances will a conviction be reported where the evidence would not have given rise to a criminal charge under the laws of Guyana.

- c. Cases reported to Defence Board are to be accompanied by a certificate of conviction obtained from the court. If it is impracticable to obtain a certificate of conviction from an overseas court any other available evidence of conviction should be forwarded in lieu.
- d. Should the findings of the court by which an officer was first tried be quashed or varied on appeal a further report is to be made to the Chief of Staff.

**WARRANT OFFICERS AND NCOS CONVICTED BY CIVIL POWER**

4046. a. When a warrant officer or NCO, other than a lance corporal has been found guilty by a civil court of a offence, including a case where a community sentence has been awarded or he has been discharged absolutely or conditionally or where the soldier has been bound over, the commanding officer is to forthwith report the case in writing to the Branch Head, under whose command he is serving. The report should be accompanied by the following documents:

- (1) A short statement of the case together with the recommendation of the commanding officer. If the commanding officer considers the warrant officer or NCO should be reduced in rank, this is to include the rank to which reduction is recommended.
- (2) Copies of the record sheet and record of service of the warrant officer or NCO.
- (3) The certificates of civil conviction
- (4) Any statement that the warrant officer or NCO may wish to make or a certificate stating that he/she does not wish to make a representation.

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- b. If the commander considers that the warrant officer or NCO should be reduced in rank he is, unless he himself has the power to order the reduction under Section 25 of the Defence Act Chapter 15:01, he is to submit his recommendation to the competent authority under that Section. The recommendation is to state the rank to which reduction is recommended and is to be accompanied by the documents mentioned in sub para a.
- c. If the commander does not order or recommend the reduction in rank of a warrant officer or NCO who has been sentenced to imprisonment, he is to report the circumstances to an authority competent to order the reduction, stating his reason for not ordering or recommending the reduction, as the case may be, and enclosing the documents mentioned at “a”.
- d. For a lance corporal the commanding officer is to act on his own authority and need not refer the matter to the Branch Head under whose command he is serving.

### **SOLDIERS ON BAIL**

4047. A soldier released on bail from civil custody should be treated no differently from other soldiers, except that:

- a. He is not to be deployed until the civil proceedings have been completed.
- b. He is to be made available to surrender his bail when required to do so.
- c. Since one of the purposes of releasing him/her on bail is to enable him to prepare his defence, he is to be allowed reasonable opportunities and facilities for that purpose, whether or not he is under arrest or undergoing punishment for a military offence.

### **RELATIONSHIPS BETWEEN SOLDIERS OF DIFFERENT RANK**

4048. Relationships between soldiers of different rank that involve, or give the appearance of, partiality, preferential treatment, or the improper use of rank or position for personal gain, are

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prejudicial to good order, discipline, and high unit morale. It is GDF's policy that such relationships will be avoided.

a. Commanders and supervisors will counsel those involved or take other action, as appropriate, if relationships between soldiers of different rank:

- (1) Cause actual or perceived partiality or unfairness.
- (2) Involve the improper use of rank or position for personal gain.
- (3) Create an actual or clearly predictable adverse impact on discipline, authority, or morale.

b. The commander will be responsible for establishing the leadership climate of the unit. This sets the parameters within which command will be exercised and, therefore, sets the tone for social and duty relationships within the command.

c. Commanders share responsibility for the professional development of their soldiers. To this end, they encourage self-study, professional development, and continued growth of their subordinates' military careers.

(1) Commanders and other leaders committed to the professional Army ethic promote a positive environment. If leaders show loyalty to their soldiers, the Army, and the Nation, they earn the loyalty of their soldiers. If leaders consider their soldiers' needs and care for their well-being, and if they demonstrate genuine concern, these leaders build a positive relationship carrying over into their lives with each other.

(2) Duty is obedience and disciplined performance. Soldiers with a sense of duty accomplish tasks given them, seize opportunities for self-improvement, and accept responsibility from their seniors. Superiors and subordinates alike work together to accomplish the mission rather than feed their self-interest.

(3) Integrity provides a way of life. Demonstrated integrity is the basis for dependable information, decision-making, and delegation of authority.

d. The authority of professionally competent leaders will be further enhanced by:

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(1) Striving to develop, maintain, and use the full range of human potential in their organisation. This potential is a critical factor in ensuring that the organisation is capable of accomplishing its mission.

(2) Giving ranks constructive information on the need for and purpose of military discipline. Articles in Chapter 15:01, which require explanation will be presented in such a way to ensure that soldiers are fully aware of the controls and obligations imposed on them by virtue of their military service.

(3) Properly training their soldiers, and ensuring that equipment and they, themselves, will be in the proper state of readiness at all times. Soldiers must be committed to accomplishing the mission through the unit cohesion developed as a result of a healthy leadership climate established by the command. Leaders at all levels promote the individual readiness of their soldiers by developing competence and confidence in their subordinates. In addition to being mentally, physically, tactically, and technically competent, soldiers must have confidence in themselves, their equipment, their peers, and their leaders. A leadership climate in which all soldiers are treated with fairness, justice, and equity will be crucial to development of this confidence within soldiers.

e. All soldiers and Army civilians must understand that this policy is based on the principle of good judgment. An association between an officer and an Other Rank might not be considered fraternisation yet still be inappropriate. Similarly, certain relationships between Other Ranks, or between officers, may be inappropriate. Just because a certain relationship does not break the law, does not mean it is acceptable or appropriate.

(1) Prejudgments in evaluating relationships and associations between soldiers of different rank have no place in military society. An association between soldiers of different rank who also are of different gender does not necessarily create a greater potential for impropriety than one between soldiers of the same gender. Relationships between males of different rank in the male-

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dominated military organisation have as much potential for real or perceived partiality. Mentoring, coaching, and teaching of soldiers by their seniors should not be inhibited by gender prejudice. Strong bonds are needed to build commitment, esprit, and confidence necessary for mission accomplishment and human self-fulfilment.

(2) The policy applies to all relationships between soldiers of different rank. Any social or duty relationship may result in an impropriety. When soldiers date or marry other soldiers junior in rank, the potential for problems increases. Value conflicts may arise because the emotions and affections which draw people together are among the strongest in human society. In addition, there is a special confidence and trust placed in our officers and non-commissioned officers which must be honoured. Other Ranks must remain aware that relationships between soldiers of different rank may lead to perceptions of favouritism or influence. The appearance of impropriety can be as damaging to morale and discipline as actual misconduct.

(3) The abuse of authority and the appearance of partiality are major causes of problems. The senior must exercise authority in such a manner as to affirm the welfare and dignity of all subordinates and limit the potential for actual or perceived abuse of authority.

(4) Certain structures within the military demand closer scrutiny because of the greater risk that they will involve partiality or an abuse of authority, or the appearance of either. These include, Recruit Training, All Arms Training, and military schools. Military commanders have always closely controlled relationships between trainers and trainees. The exercise of military authority over the life of a young soldier makes obedience the proper response to the senior. These relationships are regulated in a very restrictive manner. Also discouraged are relationships between senior and subordinate members of the same unit or

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between soldiers closely linked in the chain of command or supervision. They are fraught with the possibility of actual or perceived favouritism, and are, therefore, potentially destructive of discipline, authority, morale, and soldier welfare.

(5) When the senior has authority over the lower ranking soldier or has the capability to influence actions, assignments, or other benefits or privileges, there is the strongest justification for exercising restraint on social, commercial, or duty relationships. At the same time, when the senior does not have this authority or capacity regarding the lower ranking soldier, social relationships are not inherently improper and normally need not be regulated. Soldiers must be aware, however, that even these relationships can lead to perceptions of favouritism and exploitation under certain circumstances.

(6) Because determinations are often made to judge a relationship as improper, supervisors, leaders, and commanders must exercise their best leadership. The professional Army ethic of loyalty, duty, selfless service, and integrity requires leaders of all ranks to be truly professional.

(7) Commanders have the responsibility to articulate what is improper. If the commander becomes aware of a relationship which has the potential for creating an appearance of partiality or preferential treatment, counselling the soldiers concerned is usually the most appropriate initial action. This also generally holds true for those relationships which involve only the appearance of partiality and have had no adverse impact on discipline, authority, or morale. Counselling is a most effective leadership tool. In addition, commanders may use administrative actions (for example, reassignment, oral or written admonitions, or reprimands) to assist in controlling these relationships. A close, unofficial relationship between soldiers of different rank normally should not result in an unfavourable evaluation or efficiency report, relief from command, or other significant adverse action unless it clearly constitutes a relationship that violates this policy. Even in such

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cases, counselling the soldiers concerned and allowing them an opportunity to terminate the improper relationship, rather than immediate imposition of disciplinary or other significant adverse administrative action, usually will be most appropriate, this is especially true if there has been no actual partiality or unfairness and no actual use of rank or position for personal gain.

(8) When an official relationship between soldiers violates this policy, the Guyana Defence Force is firmly committed to corrective action.

(9) There should be no attempt (or appearance so to do) on the part of any Rank to affect the career of another member of the Force with whom a relationship exist, including unauthorized involvement inter alia in their:

- (a) Annual Confidential Reports;
- (b) Postings, attachments or appointments;
- (c) Selection for courses;
- (d) Duties or scheduling for duties; or
- (e) Documents or records.

f. If, in the opinion of a Commanding Officer, a relationship is having, or is likely to have, a serious adverse effect on the discipline, cohesion or morale of his unit, he may:

- (1) see the rank involved on a formal interview; or
- (2) recommend to the Headquarters the posting of one or both partners to separate units.

### **TRAINEE AND SOLDIER RELATIONSHIPS**

4049. Relationships between Officers/trained soldiers and Recruits are prohibited. This prohibition applies to officers and non-commissioned officers. The above prohibition does not forbid or restrict positive instructor-student relations, but precludes improper relationships such as those referred to in the previous paragraph.

**HOMOSEXUALITY, BUGGERY AND OTHER UNNATURAL BEHAVIOUR**

4050. a. **Definition.** Homosexuality is the unnatural tendency of a man or woman to have sexual inclinations towards a member of his or her own sex. Buggery i.e. sodomy, is an offence at common law, the punishment for which is fixed by the Offences Against the Person Act, section 76.
- b. **Involvement.** Involvement in homosexual and buggery practices will normally result in discharge from the Force either by disciplinary or administrative procedure. The same applies to other forms of sexual deviancy such as sadism, transvestism and carnal abuse of minors.
- c. **Discouragement.** All Ranks must discourage such practices and are in no way to condone homosexual or other deviant acts which come to their notice and should report them to their superiors as a matter of priority. In particular, officers, warrant officers and NCOs are to be especially alert for attempts to involve young members of the Force.
- c. **Alteration of sexual organs/parts of the body.**
- (1) Members of the GDF are not to subject themselves to hormonal or surgical alterations to obtain the character of the opposite sex. These include augmentation/ enlargement of the male/female sexual organs and other body parts.
- (2) Members of the GDF are forbidden to engage in transvestite behaviours. Such behaviours refer primarily to cross dressing.
- e. **Reports.** Commanding Officers are to report details of all cases of actual or suspected homosexuality or other deviant behaviour to the Headquarters, which will advise whether disciplinary or administrative action is appropriate.
- f. **Discharge.** Where an application for discharge is to be made, the Rank is to be reminded of his right to have audience with the competent military authority in

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respect of his application.

g. **Recruits.** All recruits are to be warned of the Force's policy on homosexuality and buggery before the final decision is made about joining, and warnings are to be included in lectures at training establishments.

**HARASSMENT - PERSONAL AND SEXUAL**

4051. Personal harassment means unsolicited behaviour by an individual that is directed at or is offensive to another individual; that is based on personal characteristics, including for example, race, religion, gender, physical characteristics or mannerisms; and that a reasonable person ought to have known would be unwelcome. Sexual harassment is a form of personal harassment and is defined as harassment on the basis of sex that has the effect or purpose of substantially interfering with an individual's work performance or creating an intimidating, hostile or offensive work environment. Sexual harassment does not refer to occasional compliments of a socially accepted nature. It refers to behaviour that is not welcome, that is personally offensive, that debilitates morale, and that, therefore, interferes with work effectiveness.

4052. The Guyana Defence Force considers personal and sexual harassment to be forms of misconduct that undermine good order and military discipline. No member of the Force or any civilian employee should be subject to personal harassment or unsolicited and unwelcome sexual overtures or conduct, either verbal or physical. Such behaviour by members of the Force is forbidden; offenders will be subject to disciplinary action which may include discharge from the Force.

4053. Members of the Force or members of the civilian staff who become subjected to, or are aware of, cases of personal or sexual harassment, should report the matter through the appropriate channel to their respective Commanding Officer.

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4054. Commanding Officers are to ensure that all Ranks under their command are made aware of this policy.

### **RELATIONSHIPS WITH STAFF**

4055. The roles of military personnel posted to GDF for training, squadron or battalion duty is to:

- a. ensure the well being of the officer cadets and recruits,
- b. act as role models for officer cadets and recruits, and
- c. motivate recruits and officer cadets towards their future duties in their units

4056. All staff have a duty of care towards GDF's recruits and officer cadets, some of whom are just under the age of 18 years. Officer Cadets are to be addressed either by first name or by the title 'Mister' or 'Miss' followed by their last name. Officer Cadets address officers as 'Sir' or 'Ma'am'; non-commissioned military staff are addressed by their rank, e.g. 'Sergeant' or 'Chief' or by their position, e.g. 'SSM' for School Sergeant Major. Sexual relationships between staff and officer cadets will not be tolerated.

### **RELATIONSHIPS INVOLVING OFFICER CADETS**

4057. Relationships between officer cadets are based on friendship, respect and courtesy with a minimum of formality, military or otherwise. The differences in age and experience associated with different 'years' do not imply any difference in rank or authority - all officer cadets are of equivalent rank regardless of whether an Officer Cadet was relegated.

4058. While intimate relationships between individuals are a normal part of life, they can pose unique problems in the military and training environments. In GDF such relationships are forbidden between officer cadets and a GDF staff member;

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**VISITS TO ACCOMMODATIONS - OFFICERS AND ORDINARY RANKS**

4059. Under no circumstance is a female soldier to visit any male officer's accommodation and vice versa. Officers and other ranks found in contravention of these instructions will be disciplined.

**MARRYING**

4060. Any soldier who intends to marry is to inform his Commanding Officer of his intention, at least three (03) months prior to the date set for the marriage. The notice of intention is to be submitted in writing. See application form at Annex A.

4061. Permission will not normally be granted to Rank under the age of 21 years, nor to one with less than 2 years Force.

4062. In cases where Ranks have not received permission to marry and they have nevertheless proceeded to do so, they will not be entitled to the prescribed allowances nor will their spouses or offspring be entitled to the prescribed medical and other benefits. However, such Ranks may, after attaining 21 years of age or completing 2 years of Force, apply to their Commanding Officer for their case to be reviewed.

4063. Where the Commanding Officer has received notice of intention of a soldier to marry and:

- a. The marriage is taking place in Guyana, arrangements are to be made to have a member of the unit, not below the rank of a sergeant, to attend the wedding ceremony as witness to the fact. The person detailed to attend is to submit to the appropriate unit authority a written report attesting that the soldier concerned has married, and giving the

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relevant facts; and

b. Where the wedding is taking place overseas, the wedding will be verified by one of the following means:

(1) By an appropriate Guyana Defence Force representative on course in the area.

(2) By a notary public of the country in which the marriage is occurring.

c. The Commanding Officer will, on receipt of the soldier's notice of intention to marry, decide, in conjunction with the Headquarters, which of the options at sub para *b* above should be applied.

4064. In cases where the intended spouse is below the age of 18 years, the application is to be accompanied by proof of parental consent.

4065. Ranks wishing to marry in their uniform must, as part of the process of applying for permission to marry, request permission to marry in their ceremonial uniform. Marrying in civilian clothes will not be denied but same is to be done outside of GDF's facilities. On receipt of the Notice of Intention to Marry, the procedures listed below are to be followed by the respective persons:

a. **By the Officer Commanding.** The Officer Commanding is to see the soldier to be married together with his fiancée (except where the fiancée resides overseas and her attendance would be inconvenient) and is to ensure that he:

(1) Satisfies himself that the fiancée is not a person under the age of sixteen years and that if the fiancée is under the age of eighteen years the father's consent to the marriage has been given, or in the absence of the consent from the father, a consent order by a judge of the Supreme Court;

(2) Inform the soldier and his fiancée of the following:

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- (a) An entitlement, by the fact of marriage, of the spouse, children of the marriage and children legally adopted by the parties, to medical benefits; the nature and extent of and the procedure to be followed to access such medical benefits; and the circumstances of termination of their entitlement to medical benefits;
  - (b) An entitlement, by the fact of marriage, of the soldier to ration allowance;
  - (c) A duty, under the Maintenance Act 2005, on the part of each spouse, to maintain the other spouse and their child/children;
  - (d) The power of the soldier's Commanding Officer/Force Welfare Officer, under the Defence Act, to make an order for deductions from the soldiers pay for maintenance of his wife and child, where the soldier neglects to do so;
  - (e) The power of the soldier's Officer Commanding to enforce a court order for maintenance, by making an order for deduction from the soldier's pay of the sums ordered by the court to be paid as maintenance; and
  - (f) That a soldier with a history of abusing his spouse or failing to maintain his wife or child will not be re-engaged.
- (3) Endorses the notice as appropriate and forward it to his unit headquarters for onward transmission to the Force Chaplain.
- b. **By the Force Chaplain.** The Force Chaplain is to act as follows:
- (1) Liaise with the unit headquarters to interview the soldier with a view to:
    - (a) Making arrangements with the soldier to provide the soldier (and his fiancée) with pre-marital counselling as necessary, or
    - (b) Satisfying himself that the soldier has made alternative arrangements to receive appropriate pre-marital counselling;

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- (2) Endorse the notice, based on the result of the exercise at sub paragraph (1) above, as appropriate and add comments as necessary; and
- c. **By the Commanding Officer.** Where a soldier failed to give the prescribed notice of intention to marry and proceeded to marry, he will not be granted the benefits normally derived from such an activity.

### **TATTOOING**

4066. The policy regarding tattoos in the Guyana Defence Force is that Ranks shall not acquire tattoos that are visible while wearing military uniform or any kit while engaged in organised sports, except swimming, or tattoos that could be deemed to be offensive (for example, being pornographic, blasphemous, racist or political) or otherwise bring discredit to the Guyana Defence Force.

4067. Tattooing is discouraged as it can lead to damage of the blood vessels and even HIV infection. It has also been observed that tattoos have a negative impact on employment opportunities in the civilian sector.

### **PRIVACY**

4068. The provisions of the *Official Secrets' Acts 1911, 1920* state that the obligation of record keepers in relation to the disclosure of personal information, bind the Commanding Officer, staff and officer cadets at GDF. This means that no information about an officer cadet or recruit can be disclosed either orally or in writing, without the prior written permission of the recruit or officer cadet concerned. The exception to this would be if GDF were lawfully required to disclose such information.

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4069. On entering GDF recruits and officer cadets are required to sign 'Consent to Release of Personal Information' form. This form then becomes the authority for the GDF to collect and store various types of personal information to ensure the recruits and officer cadets are properly cared for, managed and administered while they are in the Services. None of the information is disclosed to parents or next-of-kin without the prior written consent of the recruits or officer cadets concerned. Recruits and officer cadets are encouraged to keep their parents or next-of-kin informed of their progress and well being but they cannot be compelled to do so. Similarly, while provision is made for easy contact between GDF staff and parents or next-of-kin, there are legal limits as to what may be divulged in those contacts.

### **USE OF CELL PHONE – SECURITY DUTIES**

4070. The use of cell phones by soldiers while performing security duties is to cease forthwith. Base Commanders are to ensure that all cell phones are collected and secured in a strong box, prior to soldiers' commencement of security duties. Soldiers found contravening these instructions will be disciplined.

### **RELIGION**

4071. GDF staff, recruits and officer cadets are encouraged but not compelled to participate in the observance of religious worship in much the same way as they would as civilian members of the Guyanese community. The GDF chaplain encourages spiritual and personal development by conducting regular church services at the various bases, and by facilitating contact with non-Christian groups outside the said bases. Voluntary small group activities are also conducted each week. The Chaplain is available at all times to provide a confidential pastoral and counseling service to staff, recruits and officer cadets and their families.

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4072. The attendance of recruits and officer cadets is compulsory at some events that may have a religious although non-denominational element. Examples are the GDF Anniversary Service and other military events where the emphasis is primarily on remembrance rather than on the religious dimension.

### **MISUSE OF DRUGS (SEE DRUG POLICY)**

4073. It is Force policy that members found to be involved in drugs misuse will be discharged, after their second indiscretion. However, members of the Force can have their services immediately terminated if they are:

- a. Convicted in a civil court of an offence relating to the misuse of illegal drugs.
- b. Convicted in at court martial of an offence relating to the misuse of illegal drugs, but not awarded a sentence which includes dismissal from the Force, maybe liable to administrative discharge.
- c. Personnel found guilty summarily or otherwise for his/her involvement in the sale for profit, of illegal drugs.

### **RANDOM /MANDATORY DRUG TESTING**

4074. When selected for random/mandatory drug testing all ranks will be required to provide a urine specimen. Those who refuse to provide a specimen will be subject to administrative action which may include discharge for soldiers and resignation for officers.

4075. All ranks that provide a specimen which tests positive will be subject to administrative action which, save for the first time “drug use offenders”, will result in the discharge of culpable ranks. All first time offenders will be given ninety (90) days for the purpose of rehabilitation. See Volume 2, Chapter 7: Drug Policy

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**MALINGERING**

4076. Every person subject to military law who:

- a. Falsely pretends to be suffering from sickness or disability.
- b. Injures himself with intent thereby to render himself unfit for service, or cause himself to be injured by any person with that intent.
- c. Injures another person subject to service law at the instance of that person, with intent there by to render that person unfit for service.
- d. With intent to render or keep himself unfit for service, does or fail to do anything (whether at the time of the act or omission he is in hospital or not) whereby he produce or prolongs or aggravates, any sickness or disability, shall be guilty of malingering and shall, on conviction by Court martial, be liable to imprisonment for two years or any less punishment provided by the Defence Act.

**PROCEDURES FOR THE DESTRUCTION OF RECORDS**

4077. Documents, waste paper and spoiled copies from duplicate and copying machine, photo negative , tapes etc of all classifications (including RESTRICTED) or carrying special marking are to be destroyed in accordance with the following rules.

- a. Immediately after destruction is authorised all such materials is to be torn into small pieces, if cannot be destroyed by any other means.
- b. TOP SECRET materials is always to be destroyed at once, under the supervision of an officer who has endorsed the classified document register.
- c. Bulk destruction of material other than TOP SECRET is to be carried out regularly under the supervision of an SNCO or equivalent civilian grade, authorised to access classified information.

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- d. Destruction is to be by burning or shredding. Burning must be under such conditions that pieces of waste cannot escape intact, and ashes are riddled.
- e. Outside contractors are never to be employed for the destruction of official documents, without the authority of the Chief of Staff.

## **PART 2 - POLITICAL ACTIVITIES AND ELECTORAL REGISTRATION**

### **POLITICAL ACTIVITIES**

4078. Ranks are not to take any active part in the affairs of any political organisation, party or movement. They are not to participate in political marches or demonstrations.

4079. All forms of political activity, including political meetings and speeches, distribution of flyers, placing of posters, are prohibited in Force installations. Information about party programmes or policies is not to be made available through Force documents, notice boards or information rooms; nor is any propaganda material issued by or on behalf of a political party to be distributed in Force installations. No publicity is to be given in Force installations to meetings, fetes, or similar activities having a political association.

4080. No Force facilities, including Force aircraft and motor transport, are to be used at, or in connection with, any function the purpose of which is to further the interests of a political party or an organisation having controversial aims, nor are Force bands to play at such functions. Where requests are received from political groups for Force speakers to lecture or give a presentation, these should be referred for action to Defence Headquarters who will reply direct to the group.

**PARLIAMENTARY AND LOCAL GOVERNMENT CANDIDATURE**

4081. No member of the Guyana Defence Force may announce himself in any manner as a candidate for election to the Guyanese Parliament, local government, or to any legislative assembly of the Commonwealth.

4082. Any person who desires to stand as a parliamentary candidate or who seeks election as in para 4078 must make application through or to his Commanding Officer to retire voluntarily or to resign or to be granted a free discharge. In his own interests, he should make his application as early as possible. Approval of an application will depend on the exigencies of the Force. An unsuccessful candidate will have no right to reinstatement. A candidate or prospective candidate must take all steps within his power to ensure that no public announcement of his candidature or prospective candidature is made before he has retired or resigned or been discharged.

**ELECTORAL REGISTRATION OF MEMBERS OF THE GUYANA DEFENCE FORCE  
AND THEIR SPOUSES**

4083. Official lists of electors for parliamentary and local government elections are prepared by the Electoral Office of Guyana. Only persons whose names appear on the official lists are eligible to vote in an election which occurs during the period of that list. Ranks who are 18 years of age or will attain the age of 18 during the period of the list are entitled to be placed on the official list and to vote at an election occurring on or after their 18th birthday. In accordance with the provisions of the Representation of the People Act, members of the regular Force should enumerate as Force voters. Civilian spouses of members of the Force must register in the normal way as civilians.

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4084. Ranks who enumerate as Force voters will have their names placed on a military voters list and their names will subsequently be deleted from the official list. The military voters list will then be deemed to form part of the official list.

### **RESPONSIBILITIES OF COMMANDING OFFICERS**

4085. a. The Representation of the People Act places a statutory obligation on the Force to ensure that all persons appearing to be qualified shall have an effective opportunity of exercising the rights conferred on them by the Act and shall receive all reasonable instructions and assistance in the exercising of such rights. It is therefore the responsibility of all Commanding Officers to ensure that all eligible Ranks under their command or attached to their units are given the opportunity and full facilities to enumerate. Commanding Officers will be personally responsible for ensuring the unit administrative arrangements for electoral enumeration are efficient;
- b. It is not within the power of Force authorities to compel any member of the Force to enumerate and no action is to be taken against a person who does not enumerate;
- c. Every opportunity is to be given to Ranks to record their votes: voting arrangements are normally published by Defence Headquarters in conjunction with plans made by the Force Electoral Officer; and
- c. Any member of the Force who wishes to have further information about enumeration and voting should inform his unit headquarters who will refer the matter to the Force Electoral Officer (SO2 G1).

### **GENERAL ELECTIONS – PROCEDURE**

4086. The following procedure will be adopted to ensure that all Force electors physically in Guyana receive notice of pending General Elections in sufficient time to enable them to vote:

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- a. On receipt by the Headquarters of notification that General Elections is pending, notification will be dispatched to all units giving the name of the constituency and the address of the Electoral Registration Officer. Commanding Officers should thereupon ensure that the details are displayed in a prominent position on notice boards or published in Part 1 Orders; and
- b. Force voters of 18 years of age and over on the day of the election who are physically in Guyana may vote in person.
- d. Arrangements will be made for Ranks to vote on a date preceding the date of the General Elections.

4087. **Local Government Elections.** As for General Elections.

### **OFFENCES IN CONNECTION WITH FORCE DECLARATIONS**

4088. It is an offence under the Representation of the People Act for a person who, in answer to any question lawfully put to him by an enumerator acting under section 15 of the Act, to make any statement which he knows, or has reasonable cause to believe, to be false or does not believe to be true.

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**CHAPTER 5**  
**PERSONNEL POLICY**  
**TERMINATION OF SERVICE**

**TYPES OF TERMINATION**

5001. A Soldier, Officer or civilian employee may be discharged from the Force on the following grounds.

- a. Attested but not finally approved.
- b. Irregular enlistment
- c. **At His Own Request (AHOR).** This should only be permitted on very pressing compassionate grounds. Such grounds must be very extraordinary indeed to warrant the breaking of a legal contract between the individual and the Force. Soldiers seeking discharge for frivolous reasons should be reminded of their commitment to serve at least for the contract period. These soldiers should be interviewed individually by their Commanding Officers with a view to determining the true causes of their application for discharge before approval is given.
- d. **Service No Longer Required (SNLR).** Soldiers recommended must be personally interviewed by their Commanding Officers to be discharged on this ground. The commanding officer's interview and recommendation must be recorded in writing and forwarded to Defence Headquarters for approval by the Chief of Staff. Such a decision should only be arrived at if and when it is clear that the soldier's continued service is not in the best interest of the Force.
- e. **On Termination of Engagement (OTOE).** The present practice is that soldiers are enlisted in the Force on contracts for 3, 6, 9 or 12 years periods. At the end of such a period a soldier may exercise an option to leave the Force. However, if a soldier does not seek his discharge when his engagement ends, he is to be invited to re-enlist for a further

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period of his choice. This new period is as binding as the initial period. The new date must be recorded on his Q and R Card at unit level as well as at General Personnel Department, Defence Headquarters.

f. **By Purchase (BP).** Soldiers may only be permitted to be SOS by purchase under Section 28 of the Defence Act.

g. **Ceasing to Fulfill Medical Standards (CFMS).** A soldier who for any reason ceases to fulfill the medical standards for the Force will be medically examined. Upon the recommendation of the Force Medical Board and on approval of the Chief of Staff he will be discharged from the Force. If the rank has no outstanding vacation leave or deferred leave he/she shall be given one (1) month's notice of termination of his or her appointment on medical grounds or one (1) month's salary in lieu thereof.

h. **Discharge with Disgrace.** This may be done as a result of disciplinary action by a Military Court.

i. See application form for SOS is at **Annex A.**

5002. A warrant officer reduced to the ranks may, subject to the provisions of Section 26 of the Defence Act Chapter 15:01 claim his discharge.

### **TERMINATION OF SERVICE BY STATUTORY RIGHT**

5003. After the expiration of the period during which a soldier has the statutory right to claim discharge, a soldier does not have the right to be transferred to the Reserve or be discharge before the completion of the period of Colour service for which he is committed, except that a soldier serving on a 22 year engagement may terminate his Colour service by giving notice as prescribed.

**PART 2: REASON FOR DISCHARGE**

**DEFECT IN ENLISTMENT PROCEDURE, OR FALSE ANSWER ON THE  
ATTESTATION PAPER**

5004. Having made a false answer to a question on the attestation paper.

- a. The competent military authority to authorise discharge is the Branch Head
- b. This paragraph applies to a soldier who has been:
  - (1) Convicted by a civil court of an offence under Section 31 of the Defence Act chapter 15:01.
  - (2) Convicted by a court-martial or has been summarily dealt with for an offence under Section 68 of the Defence Act Chapter 15:05.
- c. This paragraph also applies to a soldier below the age of 18 who enlists without the consent of his parents or guardians. He is to be discharged as soon as practicable after his age has become apparent either from his birth certificate or as a result of a claim by the parents or guardians, or as a result of a confession by the soldier himself or in any other way. At the time that the claim is made the soldier must still be below the appropriate minimum age.
- d. A soldier, other than one who is claimed by reasons of age or apprenticeship, may be retained in the Force if the commanding officer considers there are adequate grounds to justify this.
- e. A soldier who fails to disclose a previous discharge on medical grounds is to be examined by a medical board before being discharged under this paragraph.

**FOUND UNSUITABLE FOR FURTHER FORCE SERVICE AT A TRAINING UNIT OR ESTABLISHMENT**

5005. Unsuitable for Military Service

- a. The component military authority to recommend discharge is the Branch Head except as specified in sub paragraph (e) below:
- b. Section 27 of the Defence Act Chapter of 15:01 governs this authority.
- c. Application for discharge is to be made, and discharge is to be authorised on a prescribed form.
- d. This paragraph applies to an unsuitable recruit, i.e., a soldier who during his first 2 months of service is considered to be:
  - (1) Unlikely to become an efficient soldier, e.g. unable to complete training to an acceptable standard.
  - (2) A misfit e.g. cannot adapt to aspects of military life such as communal living.
  - (3) An undesirable influence
  - (4) Likely to bring discredit on the Force.
  - (5) Unsatisfactory due to his conduct.
- e. A recruit age 18 years or over on enlistment is not normally to be discharged under this paragraph before the completion of 8 weeks' service reckoned from the date of joining the training. If, in an exceptional case, it is considered that a recruit over the age of 18 years should be discharged before completing 8 weeks' service, an application for discharge under this paragraph is to be submitted, with full details of the case, to the Chief of Staff.
- f. A soldier who has been posted away from a training unit on completion of training is not to be discharged under this paragraph.

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g. A soldier who is still serving in a training unit after he has completed 6 months service is not to be discharged under this paragraph. Full details of the case, with the recommendation of the Commanding Officer where necessary, may be forwarded to the Branch Head for consideration of discharge service no longer required.

**CONSIDERED UNSUITABLE FOR FURTHER FORCE SERVICE, ON MEDICAL GROUNDS**

5006. In cases falling under this heading, the cause of discharge recorded on documents is to be amplified to show whether the soldier is either medically unfit under existing standards, or temporarily or permanently medically unfit for military service. The cause of discharge on the Certificate of Service to the soldier, is however, always to be shown as Ceasing to Fulfill Medical Standards except in the case of recruits not accepted for service for medical reasons, when the cause is to be recorded as “below medical entry standards” for the Force.

**CEASING TO FULFILL FORCE MEDICAL REQUIREMENTS, THAT IS MEDICALLY UNFIT UNDER EXISTING STANDARDS.**

5007. a. The competent military authority to authorise discharge is the Chief of Staff.
- b. This paragraph applies to a soldier whose medical category falls below entry standards for a recruit or employment standards for a recruit or employment standards for a trained soldier appropriate to his corps, employment and length of service, but it is nevertheless not as low as to render him unfit for any form of military service.
- c. A soldier graded as in sub paragraph (b) is not to be discharged if further employment for which he is medically acceptable can be found for him in his unit. If this is not possible and he is medically acceptable and recommended for transfer to another

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unit, the case is to be referred by the commanding officer in the unit in which he is serving to the Officer-in-Charge of the manning and record office of the alternative unit.

d. If other employment in his own unit is not possible, and if transfer to another unit is not authorised, the soldier is to be discharged under this paragraph. If a soldier is unwilling to accept other employment within his own unit, or to be transferred to another unit which has expressed its preparedness to take him then he is to be discharged.

**CEASING TO FULFILL FORCE MEDICAL REQUIREMENTS, THAT IS  
TEMPORARILY UNFIT FOR ANY FORM OF FORCE SERVICE**

5008. a. The competent military authority to recommend discharge is the Branch Head
- b. Section 27 of the Defence Act Chapter 15:01 governs this authority.
- c. This paragraph applies to a soldier who is medically unfit for any form of military service and is ineligible for retention under current regulations, but who may at a later date improve and become fit for some form of service in time of emergency.
- d. The competent military authority is not to authorise discharge unless the soldier has appeared before a Medical Board, the proceedings have been recommended by the Commanding Officer and the form in the Medical Report has been forwarded to the respective Branch Head.
- e. The officer commanding the military medical facility is the soldier's commanding officer if the soldier is to be discharged direct from the said facility.

**CEASING TO FULFILL FORCE MEDICAL REQUIREMENTS, THAT IS  
PERMANENTLY MEDICALLY UNFIT FOR ANY FORM OF MILITARY SERVICE.**

5009. a. The competent military authority to authorise discharge is the Chief of Staff.
- b. Section 27 of the Defence Act Chapter 15:01 governs this authority.

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- c. This paragraph applies to a soldier who is medically unfit for any form of Force service and is likely to remain so permanently.
- d. The competent military authority is not to authorise discharge unless the soldier has appeared before a medical board, the proceedings of Medical Corps has been confirmed by the Commanding Officer and the PULHEEMS form has been forwarded to him.
- e. The officer commanding the military medical facility is the soldier's commanding officer if the soldier is to be discharged direct from hospital.

### **MANDATORY SEPARATION**

5010. Ranks will be separated without board action for reasons stated below regardless of the expiration dates of their current periods of duty. Retention is not authorised. Separation for cause procedures need not be used. Soldiers will be given at least 30 days notice of separation. Separation is required when:

- a. Officers/Other Ranks reach the end date of their period of Engagement/Re-engagement, if not approved for extension by the Chief of Staff, through the Unit Commander and Branch Head, respectively
- b. It shall be compulsory for soldier to retire on attaining the following ages in their substantive ranks that is say:-
  - (1) Warrant Officers at the age of forty-five years.
  - (2) Any soldier at the age of forty years.
  - (3) Any soldier may retire on completing fourteen (14) years of service and eligible for pension and gratuity once he/she has reached the age of retirement.
  - (4) Any soldier may retire after completing less than fourteen (14) years, (but not less than eight (8) years of service) and qualify for a gratuity once he/she has reached the age of retirement.

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- (5) Any soldier may retire after completing twenty (20) years of military service and qualify for pension and gratuity.
- c. Failure to obtain or the loss of required security clearance.
  - d. Conviction by civilian or military authorities for disqualifying offences.

**REACHING OF RETIREMENT AGE**

5011. Having reached the age limit for service.

- a. The competent military authority to authorise discharge is the Chief of Staff.
- b. Defence (Pensions and Gratuities) Regulations 1974 and Defence (Officers) Regulations 1969 governs this authority.
- c. This paragraph applies to a soldier on reaching an age limit for service.
- d. The discharge will be carried out on the day preceding the anniversary of the soldier's birthday.
- e. A soldier who reaches the age limit laid down for his rank need not necessarily be discharged if he is willing to continue in the Force and provided the necessary approval is obtained from Defence Board.
- f. Discharge is to be authorised on the SOS proforma.

**ENTITLED TO DETERMINE SERVICE OR CLAIM DISCHARGE**

5012. Having claimed discharge under Section 20 of the Defence Act Chapter 15:01.

- a. The competent military authority to authorise discharge is the Branch Head/Chief of Staff.
- b. This paragraph applies only to those soldiers who have commenced a term of continued service, having completed a 20 year engagement, and who claim discharge having given 3 months notice to his commanding officer.

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- c. Special conditions applying to this paragraph are:
- (1) A soldier whose application to continue in the Force beyond 20 years was approved may claim his discharge by giving 3 months notice beginning from the date on which notice of his discharge is given by him to his Branch Head.
  - (2) A copy of the soldier's application for discharge is to be kept with his documents.
  - (3) A soldier who, in consideration of being permitted to undergo a course of instruction, transfers to another unit or received any other benefits or advantage, has consented in writing not to determine his service for a specified period may not claim his discharge in accordance with subparagraph (1) before the expiration of the period for which he has consented to serve.
  - (4) The notice period may be reduced at the discretion of the commanding officer.
  - (5) Discharge is to be authorised on the SOS proforma.

5013. Having claimed discharge under Section 26 of the Defence Act chapter 15:01 the following are to be noted:

- a. The competent military authority to authorise discharge is the Chief of Staff.
- b. This paragraph applies only to a soldier who has been reduced from the rank of Warrant Officer and claims his discharge under Section 26 of Defence Act Chapter 15:01. The application must be made within one month of his reduction.
- c. Discharge in accordance with Section 26 of the Defence Act Chapter 15:01 is a right, not a privilege and cannot be refused; it is to be carried out with all convenient speed after the application has been received by the Commanding Officer.
- d. A copy of the soldier's application for discharge is to be kept with his documents.
- e. Discharge is to be authorised on the SOS proforma.

**COMPLETION OF ENGAGEMENT**

5014. On completion of engagement.

- a. The competent military authority to authorise discharge is the Commanding Officer.
- b. Section 22 of the Defence Act Chapter 15:01 governs this authority.
- c. This paragraph applies to a soldier who has completed his engagement.
- d. Discharge is subject to any special Defence Board instructions in Force at the time.

**REQUEST BY A WOMAN FOR FREE DISCHARGE ON MARRIAGE, OR FOR FAMILY REASONS**

5015. A female rank may benefit from a free discharge on family grounds. However such discharge must be authorised on SOS proforma supported by a medical report completed by a medical officer.

**CAUSE OF DISCHARGE – DISCHARGE IN IMPLEMENTATION OF A SENTENCE OF A COURT-MARTIAL**

5016. Having been sentenced by a court-martial to dismissal from the Force.

- a. The competent military authority to authorise discharge is the Chief of Staff.
- b. This paragraph applies to a soldier dismissed from the Force by a sentence of a court-martial under the Defence Act Chapter 15:01.
- c. Discharge is to be authorised on the SOS proforma following confirmation of the sentence of the court-martial.

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**TERMINATION OF THE ENGAGEMENT OF A SOLDIER WHO HAS BEEN PERMITTED TO CONTINUE IN FORCE SERVICE AFTER COMPLETION OF 20 YEARS SERVICE**

5017. On termination of engagement:

- a. The competent military authority to authorise discharge varies as below:
  - (1) Warrant Officer Class 1      Chief of Staff
  - (2) Warrant Officer Class 2      Chief of Staff
  - (3) Staff Sergeant or Sergeant  
(or equivalent ranks)      Deputy Chief of Staff/Branch Heads
  - (4) All ranks below that of  
Sergeant      Branch Heads
- b. The Defence Act Chapter 15:01 Section 20 governs this authority.
- c. This paragraph applies to a soldier who has been permitted to continue in the Service beyond 20 years and whom it is desired to discharge compulsorily before he has completed the period of continuance and before he reaches the age limit for service.
- d. Application to discharge is to be made and discharge is to be authorised by the competent military authority, on the SOS proforma.

**REQUEST FOR DISCHARGE BY A SOLDIER NOT ENTITLED TO DETERMINE SERVICE OR CLAIM DISCHARGE**

5018. At the soldier's request – free on compassionate grounds.

- a.. The competent military authority to authorise discharge is the Chief of Staff.
- b. This paragraph applies to a soldier who requests premature discharge free on compassionate ground withal restrictions waived.

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- c. Discharge under this paragraph is to be effected only in exceptional circumstances where transfer to the Reserve is inappropriate or impracticable.

**INVOLUNTARY SEPARATION**

5019. Ranks may be involuntarily separated for cause from the GDF's employ. All recommendations for separation will be reviewed by the Branch Head, and finally the Chief of Staff. Guidelines for involuntary separation are as follows:

- a. When a GDF member's degree of efficiency, manner of performance, or the commission of any derogatory act makes such action appropriate. The commander will initiate counseling or a letter of reprimand. Counseling forms and letters of reprimand will be documented in the soldier's military records before initiating involuntary separation action unless the reason for release would not require such action. Individuals being counseled will verify acknowledgement of counseling session. When deciding whether to initiate procedures for involuntary separation, the following factors will be considered:

- (1) The seriousness of the events or conditions that form the basis for initiation of separation proceedings. Also, consider the effect of the member's continued retention on military discipline, good order, and morale.
- (2) The likelihood that the events or conditions will continue or recur.
- (3) Whether the actions of the member resulted or are likely to result in an adverse impact on the accomplishment of the mission.
- (4) The member's ability to perform full time support duties in a reasonable manner.
- (5) The member's potential for future service.
- (6) The member's military record. This includes past assignments, awards and decorations, evaluation ratings, letters of commendation, letters of reprimand,

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counseling records, records of non-judicial punishment and records of involvement with civilian authorities and any other matters deemed relevant by separation authority.

(7) Possibility of re-engaging rank.

b. Grounds for involuntary separation under this paragraph include, but not limited to:

(1) Acts of misconduct, whether or not connected with the member's official duties.

(2) Inappropriate professional and personal conduct (included failure to pay debts).

(3) Loss of professional qualification required for the performance of assigned duties.

(4) Substandard or unsatisfactory performance (include AWOL).

(5) Acts or expressed sentiments of racism, sexism, or prejudice against ethnic or religious groups.

(6) Failure to attain and/or maintain medical, physical fitness and weight standards.

(7) Failure to meet standards other than medical reasons, which constitute unsatisfactory or substandard performance.

f. A commander may recommend involuntary separation of any soldier for cause. Before initiating involuntary separation action, the following procedures are suggested:

(1) Counsel the soldier informing them that the commander intends to initiate termination procedures. The counseling should specify the deficiencies of conduct and/or of job performance which will be the basis for termination. The soldier will be informed of the steps required to correct the deficiencies and given ninety (90) days to make such corrections.

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- (2) Thirty days following the initial counseling, the soldier will be evaluated on his/her conduct and performance during the intervening period and informed that the commander no longer intends to initiate termination procedures or what further specific steps the individual must take to correct the deficiencies.
- g. If, after the procedures outlined above are completed, the commander desires to recommend termination, the following procedures will be completed:
- (1) The commander will initiate recommendations for involuntary separation for cause. The memorandum will list reasons for termination, the nature of the offence, rule or regulation violated and characterisation of service, if separated, (honourable or general). Provide the soldier copies of all supporting documents. The soldier will acknowledge receipt of the memorandum, or if mailed, a return receipt will be requested.
  - (2) Soldiers will be advised by memorandum of their legal rights to redress.
  - (3) If the soldier chooses to seek redress or comment on the recommendation, the commander will ensure that the soldier signs the appropriate block on the involuntary separation memorandum and is provided fifteen (15) days to seek redress/comment on the cause prior to forwarding the recommendation thru the Chain of Command.
  - (4) If the soldier does not reply within the specified period of time, the request for separation, with supporting documents, will be forwarded through channels to the Chief of Staff.
  - (5) If the soldier submits a rebuttal, the rebuttal will be attached to the request for separation and forwarded through channels to Chief of Staff. If additional information, documents, or facts are added by the commander, the soldier has the right to further rebut the additional information.

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(6) Once the involuntary separation particulars arrive at DHQ, it will be reviewed by the respective Branch Heads. The recommendation will then be submitted to the Chief of Staff for final approval.

(7) Unless otherwise requested based on cause, ranks involuntarily separated for cause will receive a general discharge SNLR from the Force.

**NO LONGER REQUIRED FOR MILITARY SERVICE BECAUSE OF MISCONDUCT, INDISCIPLINE OR INEFFICIENCY**

5020. Having been convicted during his service by a civil court of an offence committed before enlistment:

- a. The competent military authority to authorise discharge is the Chief of Staff.
- b. In this paragraph the term 'Civil Court' means a court of ordinary criminal jurisdiction wherever situated.
- c. The application for discharge is to be made on a prescribed form, on which full details of the case are to be recorded and to which the soldier's conduct sheets together with the certificate of civil conviction are to be attached.
- d. The application is to be made and discharge, if authorised, carried out as soon as practicable after conviction.
- e. If the soldier is confined in a civil penal establishment on the date discharge is carried out his certificate of service is to be sent to the said institution to be given to the soldier on completion of sentence. Discharge is to be effective on the date the soldier is committed and accepted into the charge of the civil custodial authorities.

**SERVICE NO LONGER REQUIRED**

5021. This paragraph is to be used as authority for the discharge of a soldier who cannot or

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should not be transferred to the Reserve, or discharged, under any other paragraph. It will not normally be used for compassionate reasons, lost of efficiency, indebtedness, indiscipline, misconduct or medical unfitness).

- a. The competent military authority to authorise discharge is the Chief of Staff.
- b. Although discharge under this paragraph does not carry any stigma a Commanding Officer is to remember that its application may cause a soldier to be discharged without being the given the opportunity to defend himself against any implied reflection on his character, conduct, or standing in the Force. Potential civilian employers tend to regard soldiers discharge under this paragraph with some reservation. For that reason:

- (1) Where no fault is attributable to the soldier the cause for discharge is to be recorded as "Service No Longer Required" may be amplified, where this will benefit the soldier concerned, provided the words used in amplification are not the same words used to describe any other cause of discharge.

- (2) The application for discharge on the SOS proforma should include an explicit recommendation as to which of these causes of discharge is to be recorded on the soldier's documents.

- (3) If the soldier has not previously been subject to any formal warning or a formal warning in respect of a similar matter to that for which the application for discharge is being sought, he should be allowed to make representation against the application if he so desires. Should a soldier choose not to make representation against the application, he is to signify this by writing.

- c. Examples of discharge under this paragraph are shown below:

- (1) An officer cadet who fails to complete his training at the CUPOCS for reasons certified by the Commanding Officer, Training Corps as being no fault of his own and who elects discharge. In these circumstances, the officer cadet is required to sign a certificate applying for free discharge under this paragraph.

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(2) A soldier who involves himself in sexual aberration including conduct which might reasonably corrupt, cause offence or bring the Force into disrepute.

(3) Where disciplinary action is not appropriate, a soldier who has been involved with drugs, including alcohol. For example, a soldier who, when required to provide a specimen of urine under the Force Compulsory Drug Testing Programme:

- (a) Tests positive for the second consecutive time, or
- (b) Refuses to provide a specimen.

(4) A soldier who is unable to accept unrestricted military duties owing to his personal and domestic affairs and who:

- (a) Has not been notified.
- (b) Is unwilling to apply for premature voluntary releases and whose application for discharge on free compassionate grounds has been refused.

d. Before discharge action under sub paragraph c (3) is initiated, the soldier is to be interviewed by his commanding officer and warned that if within a reasonable time (not formally more than three (3) months) his personal problems have not been resolved his discharge may be applied for. The soldier should then sign a certificate to the effect that he has been given the warning and understands it. This certificate is to be retained with his Service document and attached to the SOS proforma should his discharge subsequently be requested.

e. The application for any discharge under this paragraph is to be made on the SOS proforma. The case is to be submitted with valid and explicit reasons for discharge to Defence Headquarters.

f. As soon as possible after discharge has been authorised, the soldier's service must be terminated. He is not normally to be retained in the Force in order that he may repay public or private debts.

**MISCONDUCT**

5022. a. The competent military authority to authorise discharge is the Chief of Staff.
- b. In this paragraph 'Civil Court' means a court of ordinary criminal jurisdiction wherever situated.
- c. A soldier is to be discharged if he has been sentenced:
- (1) by a civil court to imprisonment (including a suspended sentence, but not a suspended committal) or to detention or to any other form of custodial sentence;
  - (2) by a court-martial to a period of detention.
- d. If in the opinion of the Commanding Officer there are exceptional reasons that make retention of the soldier desirable then the case is to be submitted with valid and explicit reasons to the Chief of Staff. The case is to be forwarded through the immediate superior headquarters with copies going to the next higher headquarters when this has been so directed.
- d. A soldier who has been convicted by a civil court or by court-martial, or in the case (3) below by a civil court, by court-martial or by his Commanding Officer, of an offence involving:
- (1) Serious dishonesty or violence, or
  - (2) Disgraceful conduct of a cruel, indecent or unnatural kind, or
  - (3) Contravention of:
    - (a) Any enactment relating to controlled drugs, or
    - (b) Section 76 of the Defence Act Chapter 15:01 where the particulars of the offence referred to a drug or solvent, or
  - (4) Terrorist offences
  - (5) But has been awarded a lesser sentence than those mentioned in subparagraph c (e.g., a fine or a community sentence) may be discharged under his paragraph if the Commanding Officer considers the soldier's discharge to be in

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the interest of the Force, in which case he is to refer the matter to the competent military authority for decision. When the Commanding Officer is required to make an application for discharge as a result of a drugs conviction but wishes to retain the soldier, then the Chief of Staff may authorise retention.

e. A soldier who has been placed on probation or discharged absolutely or conditionally by a civil court is deemed not to have been convicted and may not be discharged under this paragraph. If despite non conviction the soldier's retention is considered undesirable, an application may be submitted immediately for discharge under Services No Longer Required with full reasons to support the recommendation.

f. When the discharge of a Warrant Officer or NCO is under consideration following his conviction by a civil court, action is also to be taken in consideration of a reduction in rank either before, or at the same time as, authorisation of discharge for misconduct.

g. The application for the discharge of a soldier for misconduct is to include a certificate by a Medical Officer that in his opinion the soldier is mentally fit. If the Medical Officer is in doubt and is unable to render such a certificate, he is to refer the case for psychiatric opinion.

h. The competent military authority must not delay his decision on whether or not to authorise discharge. In the case where discharge is consequent upon the sentence of a court-martial, the decision should normally be made immediate upon confirmation of the proceedings.

5023. Retention undesirable in the interest of the Force.

a. The competent military authority to authorise discharge is the Chief of Staff.

b. This paragraph applies to a soldier whose retention in the Force is considered undesirable on account of:

(1) Inefficiency, or

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- (2) Persistent breaches of discipline insufficient to warrant discharge for misconduct, or
  - (3) Persistent indebtedness which has caused inefficiency or led to indiscipline or to any action by the soldier which has repeatedly brought the Force into disrepute, or
  - (4) Persistent drunkenness.
- c. The following procedure is to be applied:
- (1) A soldier whose discharge is under consideration is to be informed by his Commanding Officer of his shortcomings and warned by him in writing that:
    - (a) If his efficiency or conduct does not improve within three (3) months his discharge will be applied for, and/or
    - (b) If he persists in committing petty breaches of discipline his immediate discharge will be applied for.
  - (2) The soldier is to sign the written warning in acknowledgement. The issue of the written warning is a mandatory requirement and the soldier's discharge must not be authorised unless it has been issued; but see sub paragraph c (8).
  - (3) A copy of the signed warning is to be sent to the Officer Commanding, General Personnel Department who is to:
    - (a) Retain it for the period of its validity.
    - (b) Destroy it if the warning period lapses and the soldier is retained in the Force.
    - (c) Retain it, in the event of the soldier's discharge under paragraph, as proof that he was properly warned.
  - (4) After the written warning has been given the soldier should, if practicable, be cross-posted to another company or equivalent sub unit under the same Commanding Officer for the period of the warning and be given every opportunity to improve.

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(5) If breaches of discipline continue, the Commanding Officer is to apply forthwith to the competent military authority for the soldier's discharge before the expiration of the three (3) months warning period. Depending on the circumstances, authority may then be granted by the competent military authority for either immediate discharge or discharge after the appropriate disciplinary action.

(6) If, by the end of the warning period, there has been no satisfactory improvement, the Commanding Officer is to apply for the soldier's discharge unless he considers further time is required, in which case he may impose further three (3) months warning periods consecutively. Where a soldier repeatedly survives three (3) months warning and continues to be indisciplined or inefficient, his discharge may be applied for Services No Longer Required.

(7) If the soldier's discharge is not applied for within seven (7) days of the end of the three (3) months warning period, then the warning period is to be deemed to have lapsed and the Commanding Officer is to notify the Officer Commanding, General Personnel Department to this effect. Exceptionally if a soldier is absent without leave at the end of the warning period then an application for discharge may be made up to a maximum of seven (7) days after the period of absence ends.

(8) If the commanding officer considers that a soldier who has been sentenced by a court-martial to detention on two (2) or more occasions is unlikely ever to become a satisfactory soldier, he may apply to the competent military authority for authority to discharge the soldier under this paragraph, on completion of sentence. The warning certificate may be dispensed with in such cases.

d. The application for discharge under this paragraph is to be made on SOS proforma which the soldier's conduct sheets, the written warning and the reports of his Commanding Officer and his company or equivalent commander are to be attached.

**CONSIDERED UNSUITABLE FOR FURTHER FORCE SERVICE AS BEING A  
PSYCHOPATHIC DELINQUENT**

5024. Unsuitable for further Force service:

- a. The competent military authority to authorise discharge is the Chief of Staff.
- b. This paragraph applies to a soldier who is a psychopathic delinquent. Application for discharge is to be made on the SOS proforma supported by the medical report of the Force Medical Officer and psychiatrist.

**LAUDATORY ORDERS; TESTIMONIALS**

5025. a. The publication of laudatory orders (expressing praise or admiration) when an individual leaves his sub unit or unit or when he relinquishes an appointment is forbidden.
- e. Written testimonials may be provided by Commanding Officers and other senior officers only at the request of those who are about to leave the Force or who have recently left it.
- c. In preparing testimonials for officers, Commanding Officers and other senior officers may have access to the Record of Force of the officer concerned, which can be obtained from his unit or the General Personnel Department. Officers writing testimonials should ensure that the under mentioned points are covered:
- (1) The period during which the officer served under their command.
  - (2) A brief description of the duties on which the officer has been employed and the way in which he has carried them out. It is important that this should be in terms that are comprehensible and helpful to a civil employer. For example, it is not sufficient merely to state 'Employed as adjutant' etc.
  - (3) An assessment of the officer's general character, with particular reference

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to such qualities as personality, courtesy and tact, force of character, powers of command, resourcefulness etc.

(4) Particulars of any special qualifications the officer may possess and any special aptitude he may have shown in matters not directly concerned with his military duties.

(5) A statement to the effect that the testimonial is given from personal knowledge of the applicant and that a statement based on the whole of the applicant's military career can be obtained from the applicant, or, if not in his possession, with his written consent, from the Headquarters, quoting the officer's personal number.

5026. An officer is forbidden to forward testimonials relating to his character with any application that he makes for redress to the Ministry responsible for Defence. If he wishes the opinions of officers under whom he has served to be obtained, he is to submit their names so that, if necessary, reference may be made to them.

### **APPOINTMENT TO A COMMISSION OR RE-ENLISTMENT**

5027. On appointment to a commission

- a. The competent military authority to authorise discharge is the Chief of Staff.
- b. Discharge under this paragraph is to be governed by any special instructions issued, but is normally to be effective from the day preceding the date of commissioning.
- c. A certificate of service is to be initiated by the Officer Commanding General Personnel Department and not by the commanding officer.

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### **REVIEW**

5028. Prior to the end of the contractual period, the unit commander will cause a review of the rank's performance and conduct to determine whether he/she should be re-engaged. If the Chief of Staff approves the recommendation of the unit commander and Branch Head, to terminate the service of the rank the said rank will be provided with at least 30 days prior notice of the effective date of such action.

### **DISCIPLINARY ACTIONS**

5029. The actions covered here relate to violations of the standards of conduct, other forms of misconduct such as "Absence Without Leave", and marginal or substandard performance. Subsequent to completing the probationary period, ranks may be referred to a Board of Inquiry for specific charges of misconduct.

5030. Officers may also be considered by a Temporary Promotion Review Board for performance or conduct problems. There are two basic types of disciplinary actions, those that can be initiated by the Administration without a hearing, and those requiring a hearing.

### **SUMMARY ACTIONS: (ACTIONS THAT DO NOT REQUIRE A HEARING)**

5031. **Letter of Reproval/Letter of Reprimand.** Both of these actions are issued in writing to the rank. They can be originated, by the rank's immediate superior or a NCO who is senior to the defaulting rank. The primary difference between the two is that the letter of reprimand is placed in the rank's PF for a period not to exceed 2 years, while the letter of reproval is placed in the file maintained at the rank's unit lines. Since most personnel actions in the GDF involve a board

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review (e.g., promotions, details, special pay, assimilation, etc.) having a letter of reprimand in his/her PF can adversely affect an officer's career.

5032. Interdiction / suspension from Duty with reduced pay may occur when allegations of misconduct or unsatisfactory performance are of such severity that the officer is suspended as a precautionary measure pending full investigation of the allegations, or because of a pending involuntary separation, or board of inquiry.

### **SUMMARY DISMISSAL**

5033. A summary dismissal of an Officer can only be done by the Defence Board and by the Chief of Staff in the case of an Ordinary Rank. An officer's commission, for example, can be terminated without a hearing if he or she has been convicted of a criminal offense and sentenced to more than 30 days in a State Prison/Correctional Facility with or without suspension.

### **ACTIONS REQUIRING BOARD ACTION**

5034. When an officer is charged with misconduct by his or her superior or other responsible persons, the officer may be ordered to appear before a board of inquiry. The board, after considering all the evidence, may recommend actions including but not limited to: exoneration, reassignment, termination of the officer's commission, or reduction in grade. If the officer's commission is terminated, his or her service may be characterised as "honorable", "under honorable conditions," or "under other than honorable conditions". Regular Corps officers who are charged with marginal or substandard performance are entitled to a hearing before they can be separated.

**GRIEVANCES**

5035. a. **Grievance Description.**

(1) A grievance is a request by a commissioned officer for personal relief in a matter of concern or dissatisfaction (such as working environment or working relationships with supervisors, other employees or officials) which is subject to the control of a sub unit or unit commander. Situations that result from actions mandated by statute, regulations or stated GDF personnel policy are covered only when the actions taken were capricious, arbitrary or not in consonance with applicable law, regulations or policy.

(2) Although it is often best to first try to solve problems informally, initiation of a grievance is not viewed by the GDF as a reflection on the loyalty or desirability of the aggrieved officer. Also, the unit commander will not view the filing of a grievance as reflecting on the capabilities of the person or persons who are the subject of the grievance. Grievances must be submitted in writing within the time limits established. They must state concisely the facts of the matter or incidents giving rise to the grievance and specify the personal remedy sought. Officers should note that a request for a disciplinary action against another individual is not considered a personal remedy.

b. **Time Limits.** The initial presentation of a grievance must be made to the supervising rank within seven (7) working days of the incident or action giving rise to the grievance. The immediate superior then has ten (10) working days to respond. If the initial decision is not satisfactory, the officer has (10) working days to submit the grievance to the next higher level. If the result of secondary presentation is unsatisfactory, the officer has fifteen (15) working days to submit the grievance to the official designated to review the final appeal.

**REDRESS OF COMPLAINTS**

5036. a. Any complaint under sections 173 or 174 of the Defence Act is, when received by the Commanding Officer, to be forwarded by him, with any comments, to the Chief of Staff or appropriate superior authority. That authority is to examine the complaint and is himself to grant redress if he has power to do so and thinks he should. If redress is not then granted, or is not granted to the complainant's satisfaction, that authority is to forward the complaint, together with any comments by the Commanding Officer and himself, to the Defence Board. In this way, unless full redress is granted at an intermediate level, the complaint will come up through the chain of command to the Headquarters and will be presented to the Defence Board. The complainant is to be informed of progress at each stage and given the opportunity to withdraw his complaint if he wishes.
- b. Every complaint is to be fully and distinctly stated and any explanation or other evidence as may be necessary for the proper investigation and speedy determination of the complaint is to be annexed to it. A complaint is to be submitted in writing, stating the remedy being sought, to the complainant's Commanding Officer, no matter if the Commanding Officer:
- (1) Has previously refused to redress the matter complained of;
  - (2) Has not the power to grant the redress sought; or
  - (3) If the complaint has been made against the action or refusal of action by the Commanding Officer himself. Where a written complaint is to be submitted to an authority above unit level, the Commanding Officer is to offer the complainant, an officer to assist in the written presentation of the complaint. The complainant is, however, under no obligation to accept such assistance.
- f. Alternatively, all ranks may bring such grievances to the notice of a senior visiting officer and such an opportunity is to be given at least once annually. To this end,

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advance notices will be published in unit orders of appropriate visits on which the senior visiting officer will be prepared to see any Rank wishing to air a grievance.

d. Anonymous complaints are to be disregarded.

### **CORRECTION OF PERSONNEL RECORDS**

5037. The Colonel Administration and Quartering (Col AQ) will correct a personnel record when the evidence supporting the correction is found acceptable and the correction is justified. Col AQ is not required to have corrected a record at this stage if he believes the record to be correct and finds that the evidence supporting the request for correction is not convincing. An officer seeking to correct a record should submit a request in writing to the Col AQ, with supporting documentation, asking that a record be corrected. The said documents will be reviewed and the record changed if necessary, or the officer will be notified of the reason that the record cannot or will not be corrected.

### **RETIREMENT PROCESSING**

5038. a. Soldiers will be notified, six (6) months, prior to their termination date, by their respective units through the General Personnel Department.

b. If after a soldier reaches 20 years of service and is unlikely to complete a further three (3) month period, he/she is to communicate to the Force six (6) months in advance the desire to leave and when same would be done.

c. When a soldier is unable to attend out-processing on their own due to medical incapacitation, the unit commander is to designate a rank to accompany the retiring soldier, or to execute the out-processing activities, on the latter's behalf. The unit commander is to ensure that the following documents are presented to Defence Headquarters, when processing a rank "Struck off Strength":

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- (1) SOS Proforma. **See Annex A.**
- (2) Interview Proforma. **See Annex B.**
- (3) Personal File with recent Photograph
- (4) Covering Letter requesting SOS
- (5) Verified Leave Certificate, if necessary.

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**PERSONNEL POLICY**

**CHAPTER 6**

**APPOINTMENTS AND FINANCIAL MATTERS**

**GENERAL**

6001. The Force's Establishment stipulates the rank levels for each staff or line appointment.

Generally, Staff/Line Appointments are held by the following rank levels:

- |    |  |   |            |
|----|--|---|------------|
| a. | Principal Staff Officer/Commander        | - | Colonel    |
| b. | Grade 1 Staff Officer/Commanding Officer | - | Lt Colonel |
| c. | Grade 2 Staff Officer/Officer Commanding | - | Major      |
| d. | Grade 3 Staff Officer                    | - | Captain    |

6002. Each rank level is determined by the establishment of the Force.

**QUALIFICATION**

6003. Substantive holders of the abovementioned Staff/Line appointments must be qualified as follows:

- a. **Principal Staff Officer: Colonel General Staff/Colonel Administration and Quartering**
- (1) Army Staff Course, Staff College, Camberley
  - (2) Army Staff Command Course, Brazil
  - (3) National Defence University, USA
- b. **Grade 1 Staff Officer/Commanding Officer.** Senior Command and Staff Course.

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c. **Grade 2 Staff Officer.**

- (1) Junior Command and Staff Course, Guyana
- (2) Junior Command and Staff Course, Jamaica.

6004. Persons who are appointed to these positions, but are not suitably qualified, are eligible to receive either an acting or responsibility allowance.

**PAY ALLOWANCES AND OTHER BENEFITS**

6005. a. An officer shall receive his/her pay from the Finance Department, Guyana Defence Force. The officer may direct that his/her pay be credited to a private account or be remitted to him/her or to any commercial Bank or, if abroad, through a pre-determined agency.

b. An officer who is so qualified by regulations will be entitled to receive any of the following allowances:

- (1) Discipline Services
- (2) Laundry
- (3) Rent
- (4) Separation
- (5) Ration
- (6) Field
- (7) Flying
- (8) Travelling
- (9) Transport
- (10) Acting
- (11) Responsibility
- (12) Specialist

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(13) Education

(14) Any other approved allowances

c. Conditions for the payment of pensions, gratuities or any other benefits, when an officer retires or is removed from office or when he/she resigns or dies, are set out in the Force's Regulations. Conditions for pay and allowances can also be found in those Regulations.

**ACTING ALLOWANCE**

6006. a. Officers duly appointed to act in an appointment carrying the rank of captain and above shall, if required to act in such appointment for a continuous period in excess of twenty-eight (28) days, be granted in addition to his own substantive basic pay, an acting allowance at a rate equal to the difference between the officer's own substantive basic pay and the minimum basic pay of the higher appointment.

b. Civilians maybe entitled to "acting allowance "depending on the circumstances.

6007. An officer who is duly appointed to act shall, in the absence of any special arrangements, draw the allowances attached to the higher office at the approved rates.

6008. An officer in receipt of an acting allowance while holding an acting appointment will continue to draw such allowance during periods of sick or Force leave not exceeding 28 days at any one time.

6009. Notwithstanding any of the abovementioned instructions, if in the opinion of a Commanding Officer an officer who has been appointed to act in a post carrying a rank above his substantive rank is not suitably experienced to adequately perform the acting duties, then the

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Commanding Officer is to recommend, for the Chief of Staff's approval, whether or not the officer receives an acting allowance at the prescribed rate or at a lower rate.

### **RESPONSIBILITY ALLOWANCE**

6010. Officers who have not passed the course/promotion examination for the rank carried by the appointment shall not be eligible for receipt of acting allowances but instead for a responsibility allowance.

6011. A responsibility allowance is paid to the holder of an appointment who is not qualified and is not at the required rank.

6012. Responsibility allowance will be equivalent to two-thirds of an acting allowance.

6013. Should an officer/soldier no longer hold an appointment which attracts either allowance, then he/she ceases to be paid that allowance.

### **BASIC PAY ENTITLEMENTS / ALLOWANCES**

6014. a. Basic Pay - based on the rank's general pay scale and length of service for pay purposes.
- b. Basic House Rent Allowance (BHRA) – entitlement paid to uniform ranks who are married and female soldiers who are parents.
- c. Basic Ration Allowance (BRA) – payable to uniform ranks. This allowance, as well as that at paragraph 'b', is not to be withdrawn in cases where married ranks are legally separated.

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- d. Clothing Allowance Entitlement – a laundry allowance is authorised for subsidising the preparation of uniforms and forms part of the ranks' monthly salary.
- e. Service Allowance - A special allowance approved by the Defence Board for uniformed Ranks of the Joint Services

### **SPECIAL ALLOWANCES**

- 6015. a. **Proficiency Allowance** - payable to uniform Non Commission Rank as a result of their training
- b. **Specialist Allowance** - rated allowance to uniform Ranks that possess special skills
- c. **Academic Allowance** – payable to uniform Ranks who have been certified by a University.
- d. **Instructor's Allowance** – payable to uniform Ranks who are qualified and are selected to conduct courses in the Guyana Defence Force, as Instructors

### **DUTY RELATED ALLOWANCES**

- 6016. a. **Field Allowance** - paid to uniform Ranks who perform duties away from main bases.
- b. **Duty Allowance** - paid to uniformed Ranks
- c. **Travelling Allowance** - paid based on appointment approved by the Defence Board
- d. **Paymaster Allowance** - paid to uniform and civilian ranks at the Finance Department who carry out the duties of Paymasters.
- e. **Commuted Allowance** - approved for all Joint Services' Ranks based on their eligibility for rated overtime.

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- f. **Incentive Allowance** - paid to Ranks who do additional tasking other than their skill set.
- g. **Pilot incentive**
- h. **Engineer incentives**
- i. **Overtime** - paid only to civilian workers (taxable).
- j. **Utility Allowance** - paid to ranks seconded to compensate them for benefits they are not in receipt of in their new appointments.
- k. **Special Allowance** - paid to members of the Commissions Board & Military Magistrate.
- l. **Choirsters** – uniform ranks and civilians who are members of the Joint Services' Choir.
- m. **Risk Allowance** – paid to uniform ranks.

### **DETENTION ALLOWANCE/PAY POLICY**

- 6017.
- a. Soldiers who are sentenced to detention will only received 15% of their days' pay for the period of detention.
  - b. During their period in detention married soldiers will continue to receive rent and ration allowance.
  - c. No other allowances will be paid to soldiers while in detention.
  - d. Soldiers in detention are defined as soldiers who were awarded detention as a result of Orderly room procedures and not soldiers that are awaiting trials. Note that those instructions will be published in part 2 orders.

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**RECEIPT OF SALARY: DIRECT DEPOSIT.**

6018. Regularly scheduled payments are available to the soldier as prescribed on a monthly basis. This is done based on “Direct Deposits” which are mandatory for all soldiers. Any changes associated with “Banks” are the responsibility of the soldier but must be communicated to the Finance Department through the rank’s Headquarters.

**ADVANCE PAY TO RANKS**

6019. a. An advance in pay is ONLY authorised in special circumstances. The purpose of an advance of pay is to provide a rank with funds to meet the extraordinary expenses of an organisation/government-ordered relocation. An advance of pay shall not be authorised for the specific out-of-pocket expenses covered by advances of other pay and entitlements.

**PAY SCALE**

6020. Ranks in the GDF are paid in keeping with the following scales. Civilians are paid commensurate to their military equivalent in rank, and in accordance with their appointments (civilian).

	GENERAL SCALE	RANK	REMARKS
(a)	(b)	(b)	(c)
01	GS 16	Major General & Equivalent	
02	GS 15	Brigadier & Equivalent	
03	GS 14	Colonel & Equivalent	

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(a)		(b)	(c)
04	GS 13	Lieutenant Colonel & Equivalent	
05	GS 11	Major & Equivalent	
06	GS 10	Captain & Equivalent	
07	GS 09	Lieutenant & Equivalent	
08	GS 08	Second Lieutenant, Warrant Officer Class One & Equivalent	
09	GS 07	Warrant Officer Class Two & Equivalent	
10	GS 06	Staff Sergeant & Equivalent	
11	GS 05	Officer Cadet, Sergeants & Equivalent	
12	GS 04	Corporal & Equivalent	
13	GS 03	Lance Corporals 1 & Equivalent	
14	GS 02	Private & Equivalent	
15	GS 01	Recruit & Equivalent	

**MOVEMENT IN SALARY**

6021. The GDF's policy for movement in salary is linked mainly to promotion, and for civilians where promotion is not consistent, a recommendation from a commanding officer for approval by the Chief of Staff.

6022. Where there is promotion to an acting rank, salary is increased to the first scale of the band. Once promoted to substantive rank salary is increased to the second band in the scale, and after three year in substantive rank to the third band in the scale. In any event however ranks must meet the maximum band before he/she is due for promotion to the next rank.

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6023. Contracted employees are paid as stipulated by their individual contracts with the GDF, which will dictate the allowances entitled to and superannuation benefit. However, movement occurs when increases are awarded by the government.

### **PAY IN LIEU**

6024. This is a payment an employee would receive if his /her vacation leave has been deferred and cannot be subsequently enjoyed due to the exigencies of work, or is requested by the said employee. In the latter circumstances, that employee has to make a written request to his/her commanding officer who will recommend and forward to the Chief of Staff through the Colonel AQ for approval. Applicants are to note that this facility is offered on an annual basis, subjected to the availability of funds. The said application must also be approved by the Office of the President.

### **PAY INQUIRIES**

6025. All individual pay inquiries should be screened at the unit level to determine the most effective way to resolve the individuals' inquiries. Commanders/supervisors should make every effort to resolve the problem. Many, if not most of the problems can be addressed at the unit lines but if this cannot be done, the unit pay clerk shall seek to have same clarified at the Finance Department.

### **MANPOWER ADMINISTRATION**

6026. To facilitate proper accountability in the Force all commanders of Units/Departments are to adhere to the under mentioned.

- a. **Weekly**

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(1) **Publication Part 1 and 2 Orders.** Provide the G1 Branch with information for weekly publication of matters affecting adjustment in strength and pay changes in the monthly payroll (instances of Taken on Strength, Struck off Strength, Absence Without Leave, Return to Unit, Postings, Training, Secondment, Promotion, Interdiction, Maternity Leave, No Pay Leave, Fines and Forfeitures, Surcharges and Suspension from duty). Additionally, Commanders are also to follow up with the G1 Branch any omission and errors in publication.

(2) **Control Registers.** Updated appropriately and in accordance with information and publication in Part 1 and 2 orders.

b. **Monthly**

(1) **Nominal Rolls/Casualties.** Submit to Finance Department, not later than the first working day after every pay day, Nominal Rolls and Casualties (in order of seniority along with queries and pay changes in relation to the next monthly payroll).

(2) **Reconciliation.** Conduct monthly reconciliation of unit's strength with payroll before actual payment made must form part of the queries accompanying submission of Nominal Roles/Casualties.

(3) **Conduct of Pay.** An officer not below the rank of Second Lieutenant must be present at all pay parades to conduct and authorise payment of salaries. The Regimental number and rank of each payee must also be recorded by the payee when applying his/ her signature on the pay sheet.

## **PUBLIC FUNDS**

6027. The handling of and accounting for public money on unit charge is to be the responsibility of an officer or, for limited periods, a warrant officer or staff sergeant. If the commanding officer is himself the imprest holder he is to report that fact to Defence

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Headquarters, in order that another officer of equal or higher rank maybe appointed to carry out the required checks of the funds.

### **VOLUNTARY REGIMENTAL SUBSCRIPTION**

6028. All ranks may be encouraged to subscribe to a Unit fund which is devoted to the social assistance of military personnel, except for the purposes of paying utility bills, including rent, and purchasing school uniforms. Such subscriptions are not to be used to finance Force activities.

6029. Voluntary subscriptions in respect of the above and those in connection with Regimental amenities such as sports clubs will be capped by the Chief of Staff. In the latter instance, approval of the respective 'Branch Head' must to be obtained prior to implementation of any such fund. Commanding officers, however, are to ensure that the voluntary nature of such subscriptions is made clear to all subscribers and that the amenities in questions can be maintained only by the general support of all ranks.

6030. Commanding officers are also to ensure that personnel, especially recruits and junior soldiers, are protected from unauthorised expense on account of Regimental custom, and that a periodical review is made of all such expenses incurred by men in their units, with a view to the reduction of any unnecessary expenditure.

### **CREDIT UNION SAVINGS**

6031. a. All employees of the Guyana Defence Force are members of the Guyana Defence Force Cooperative Credit Union Society. Fixed statutory deductions, from taxable earnings, are done on a monthly basis. Changes to the month contributions are done by

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the Committee of Management in accordance with, especially, government pay increase patterns.

b. Members of the Force have the option of increasing their monthly statutory contributions, and by extension increasing their capacity to benefit from larger loans. These savings do not attract financial interests. It is important to note that loans granted to ranks should not exceed three times their individual savings. Additionally, deductions in excess of one-third of their respective salaries would not be encouraged. Apart from loans, members can also gain additional benefits through contributions to:

- (1) Funeral Assistance Scheme - contributions based on amount of persons on the plan.
- (2) Christmas Club Savings - annual savings which commences in January and concludes with payment of the total accumulated savings over a period of eleven months.
- (3) Special Savings – contributions made to the “special savings’ plan and which is accessible on presentation of a member’s National Identification Card.

### **RULES – CREDIT UNION’S FUNERAL ASSISTANCE SCHEME**

6032. The operations of the GDF Credit Union’s Funeral Assistance Scheme (FAS) are governed by the rules provided in the policy there of. Assistance is to be granted only where the deceased person falls within the most immediate of the family unit registered by a member at the time of the claim. The assessment is done on the basis of the relationship between the members and the deceased person at the time of the claim and not at the time when the dependant is first registered. The scheme recognises the most immediate ‘family unit’ as the target group to which the ‘assistance is to be given in the unfortunate circumstances that either the member or one of his/her duly qualified “dependant dies. Qualification is determined at the time of the claim and may vary over time depending on the dynamics (evolution) of a member’s ‘family unit! Where

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the member himself/herself dies the benefit is paid to the member's stated next of kin (NOK). Family unit are ranked in order of immediacy (precedence) as follows:

- a. Member, wife (including common law), children of a member by any union for which the member's name appears as mother/ father upon the birth certificate of the child/children.
- b. Where no wife – member, mother, father brother and sister.
- c. Where no wife, mother nor father – member, grandmother, grandfather, children of a member.

### **PROCEDURE IN RELATION TO LOSSES, CERTAIN SPECIAL PAYMENTS**

6033. When cash, stores equipment, clothing or supplies of any kind belonging to the public are lost, stolen, destroyed or damaged, or when deficiency is discovered on any store account, or when an animal is lost or dies, either from injury (other than on active service) or from illness which the veterinary officer is unable to certify as natural or as been destroyed as incurably injured, or when damage is caused to structures, etc; the matter will be investigated as laid down in the Defence (Board of Inquiry) Rules 1962, and action taken as necessary.

6034. Any case involving important questions of principle or otherwise of exceptional interest will be referred to the Headquarters Guyana Defence Force, irrespective of the amount.

### **FORFEITURE OF PAY FOR ABSENCE, ETC**

6035. The pay of a Rank shall be forfeited for:

- a. Every day of absence in such circumstances as to constitute an offence under the Defence Act, or if the Chief of Staff so directs, for any day of other absence without leave other than by reason of having been made a prisoner of war;

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- b. Every day of imprisonment, detention or field punishment awarded under military law by a court martial or Commanding Officer, or imprisonment or detention of any description to which he is liable in consequence of an order or sentence by a civil court; and
- c. Every day on which he is in hospital on account of sickness or injury certified by the proper medical officer to have been occasioned by an offence under Military law of which he has been or is subsequently found guilty. Provided that a Commanding Officer of a married Rank after investigating the circumstances of the Rank's family, may award to that family a family maintenance allowance of not less than 10 per cent, not more than 30 per cent of the Rank's pay where such Rank has not been discharged. (Defence (Deductions and Forfeitures) Regulations, 1962).

**NON STATUTORY DEDUCTIONS FROM PAY**

6037. It is not unusual for units to submit letters to the GDF Pay Office requesting deductions from the salary of individuals for fundraising efforts such as raffles, barbecues, etc.

6038. All units are to ensure that letters requesting such deductions are accompanied by an agreement in writing signed by the Rank indicating his awareness of and consent to the requested deduction.

6039. Deduction of such nature will not be facilitated by the Finance Department without the accompanying signature(s) and approval by the Col AQ. Only deductions to settle public or Service debts will be actioned without the Rank's signature accompanying the request.

**ENFORCEMENT OF MAINTENANCE AND AFFILIATION (SECTION 165 OF THE DEFENCE ACT)**

6040. Where any court in Guyana has made order against any Rank of the Guyana Defence Force (GDF) (the Rank need not have been a member of the Guyana Defence Force at the time that the order was made) for the payment of any periodical or other sums specified in the order for or in respect of the following, namely:

- a. The maintenance of his wife or child, or
- b. Any cost incurred in obtaining the order, or
- c. Any cost incurred in proceedings or appeal against, or for the variation, revocation, or revival of such order, the officers authorised by the Chief of Staff (as detailed as para **6041**) may, on the production of the maintenance or affiliation order, order such sum to be deducted from the pay of the Rank and appropriated in or towards the payment due under the order of the court.

**DEDUCTIONS FROM PAY FOR MAINTENANCE OF WIFE OR CHILD UNDER SECTION 166 OF THE DEFENCE ACT**

6041. For the purpose of making compulsory order for the deduction of pay for the maintenance of a wife or child under the provision of section 166 of the Defence Act, the following officers are the 'authorised officers' appointed by the Chief of Staff:

- a. The Colonel Administration and Quartering
- b. Staff Officer One General One
- c. Commanding Officers and
- d. The Force Welfare Officer

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6042. Where the Colonel Administration and Quartering in the case of officers and warrant officers, or the Commanding Officer in the case of soldiers, is satisfied that the officer, warrant officer or soldier is neglecting, without reasonable cause, to maintain his wife or child under the age of 16 years, the Colonel Administration and Quartering in the case of officers and warrant officers, or the Commanding Officer in the case of soldiers, may, in accordance with sections 166 and 167 of the Defence Act, order such sum to be deducted from his or her pay and appropriated towards the maintenance of his wife or his or her child as the Colonel Administration and Quartering or Commanding Officer respectively, thinks fit.

6043. The form by which the deduction will be ordered is shown at **Annex A** to this chapter.

### **MOTOR INSURANCE DOCUMENTS – RANKS AND CIVILIANS**

6044. All Officers, Other Ranks and Civilians in receipt of a Travelling Allowance are required to present their original Motor Car Insurance Document to the Fin Dept and the GDF Sub Treasury for verification. It is the responsibility of all Officers, Other Ranks and Civilians to ensure that their respective Motor Car Insurance are always current since Travelling Allowance will not be paid for any period where the Policy lapses.

### **SUPERANNUATION BENEFITS**

6045. Superannuation benefits are computed in accordance with the regulations in the Defence Act, Chapter 15:01. These benefits are in the form of pensions and gratuity granted to an employee on Retirement, and shall be compulsory for officers, soldiers and civilians employees to retire in the following ages in their substantive rank:

- a. Officers of or above the rank of Lieutenant Colonel at the age of fifty five (55) years.

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- b. Majors and Captain at the age of fifty (50) years.
- c. Lieutenants, Second Lieutenants and Warrant Officers Class One and Two at the age of forty five (45) years.
- d. Staff Sergeants to Privates at age forty (40) years.
- e. Civilian employees at age fifty five (55) years.
- f. See formula used to calculate Pension and Gratuity at **Annex B**.

### **WHAT IS A GRATUITY?**

6046. A gratuity is a one-off payment made in accordance with the Pensions and Gratuities Act to eligible members of the Guyana Defence Force who would have met specific conditions of service highlighted under the Pensions and Gratuities Act.

6047. On retirement, the member is entitled to a pension calculated at the rate of one six-hundredth of the final pensionable emoluments of the rank in respect to each completed month of service.

6048. A member's period of eligible service may include a period served as a member other than a member of the GDF (PSM Rules).

### **RESIGNATION AND SUPERANNUATION BENEFITS**

6049. An officer recruited by the GDF who wishes to resign shall have given to the Defence Board through the Chief of Staff notice in writing of his/her intention atleast one (1) month before the date on which he /she wishes to relinquish his/her appointment, but the Defence Board may waive this requirement in whole or part if it thinks fit.

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6050. The officer is not entitled to withdraw his/her notice of resignation after such resignation becomes effective, but the Defence Board may accept a withdrawal of resignation if tendered in writing at any time before the effective date of the resignation.

6051. Except in special circumstances and with the approval of the Chairman, Defence Board, an officer forfeits all claims to superannuation benefits. However, this does not preclude him/her from receiving benefits due by association with NIS, Credit Union etc.

### **DISMISSAL AND SUPERANNUATION BENEFITS**

6052. A member of the GDF who is dismissed forfeits all claims to superannuation benefits.

### **GRATUITY: PENSIONABLE EMPLOYEES DIES**

6053. A member of the GDF, not on probation or agreement, who dies while in service, may be eligible for gratuitous benefits, not exceeding one (1) year's pensionable salary or his/her commuted pension gratuity, whichever is greater, given to his/her legal representative.

6054. The minimum period of service for the purpose of qualifying for pension and gratuity is as follows:

- a. **Compulsory Retirement.** Officers and soldiers must obtain fourteen years pensionable service at the specified age.
- b. **Early Retirement at the Request of Officers and Soldiers.** An Officer or soldier is permitted to retire at his/her own request before he/she reaches the age of retirement but has completed twenty years of military service. If an Officer or soldier is within two years of the retirement period qualifying for a pension will be at the discretion of Defence Board.

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- c. 8 years but less than 14 years of service: - gratuity only on compulsory age for retirement; no early retirement in this case.
- d. **On Medical Grounds**
  - (1) Less than 8 years - special pension only
  - (2) 8 years but less than 14 years of service – gratuity and special pension
  - (3) 14 years and over service – gratuity special pension and ordinary reduce pension.

### **RETIREMENT IN THE INTEREST OF THE FORCE**

6055. An officer or soldier who is called upon to resign or retire in the interest of the Force and has or has not completed a minimum period for a pension may at the discretion of Defence Board be granted pension or gratuity.

### **RETIREMENT FOR MISCONDUCT**

6056. An officer or soldier who is required to retire or to resign for misconduct or who is cashiered or dismissed from the Force and has completed the minimum period of service qualifying for a pension may at the discretion of the Defence Board be granted a compassionate award of pension at such rate as the Board may determine, but not in any event exceeding more than 90% of the pension which would have been payable to him if he had retired at his own request.

### **RETIREMENT ON MEDICAL GROUNDS**

6057. a. An officer or soldier who has been permanently injured in the actual discharge of his duty.

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b. Without his own default and by some injury specifically attributable to the nature of his duty and is qualified for a pension be granted a special pension (additional) according to the capacity of the illness which is;

- (1) Slightly impaired - 5/60
- (2) Impaired – 10/60
- (3) Materially impaired – 15/60
- (4) Totally destroyed – 20/60

6058. Automatically, the officer and soldier are qualified for two pensions that are special and ordinary.

### **RETIREMENT ON DEATH**

6059. a. Where an officer or soldier dies while in the service of the Force and has completed eight years (8) pensionable service there shall be paid or distributed to or among those persons whom the Defence Board confirmed were wholly and partially maintained by the deceased person, or if there is no such person, to his legal personal representative. If he has not completed eight years (8) of pensionable service, a special gratuity should be granted e.g. six (6) months of final pensionable emoluments.

b. Where an officer or soldier dies as a result of injuries in the actual discharge of his duty without his own default or on account of circumstances especially attributable to the nature of his duty:

- (1) Leaves a widow - a pension is granted to her while **unmarried** at the rate not exceeding ten –fiftieth (10/50) of his annual pensionable emoluments, if she **remarries** the pension should stop immediately.
- (2) Widow - includes a single woman or a widow who was living with a single officer or soldier as his reputed wife at the date of death.

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c. If the deceased officer or soldier leaves a child or children, therefore, a pension is granted in request of each child until they attain the age of eighteen years (18) an amount not exceeding one-eighth (1/8) of the pension prescribed for the widow. Pension granted to a female child shall cease upon her marriage under the age of eighteen (18) years.

**CHILD INCLUDES**

6060. a. a posthumous child (child born after the death of the father).  
b. Step child or child born out of wedlock or a lawfully adopted child who was living and also maintained by him.

6061. If the officer or soldier does not leave a widow or no pension is granted to his widow and his mother is wholly and partially dependent on him for her support, a pension to the mother whilst without adequate means of support in the opinion of the Defence Board an amount not exceeding the pension which might have been granted to his widow. In the case where a pension is granted to the mother and she is single at the time and subsequently remarries such pension shall cease as from the date of remarriage.

6062. If the deceased does not leave a widow, mother or if no pension is granted to them and his father was wholly and partially dependent on him for his support a pension to the father in the opinion of the Defence Board an amount not exceeding the pension which might have been granted to his widow.

**FATHER INCLUDES**

6063. Any person who is for the purpose of establishing that relationship of father and child existed between himself and the satisfaction of the Defence Board that during his life time of the

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deceased he had acknowledge that he was the father.

### **CLEARANCES**

6064. The following are to be completed:

- a. GDF Clearance Certificates
- b. Dependants' Pension Fund Statement
- c. Income Tax Liability Statements
- d. Treasury Clearances

### **CIVILIAN EMPLOYEES**

6065. a. Age 55 years –over seven year but less than 20 years of service – gratuity  
b. Age 55 years with 20 years of service and over – gratuity and pension.

### **SEVERANCE PAY**

6066. Severance pay is a payment to an employee when his/her employment has become redundant. All employees who are made redundant are not entitled to severance pay. Such benefit would only be paid to an employee whose employment would have become redundant, after serving a minimum of five (5) years with the GDF.

### **TO CALCULATE SEVERANCE PAY**

- |          |                    |                 |
|----------|--------------------|-----------------|
| 6067. a. | 5 years service    | 1 week per year |
| b.       | 6-10 years service | 2 week per year |
| c.       | 11 Years And Over  | 3 week per year |

**GRATUITY FOR CERTAIN FIXED TENURE APPOINTMENT - CIVILIANS**

6068. This clause applies to individuals who meet these conditions.

- a. The civilian is a member of the permanent civilian staff.
- b. The civilian is serving under a fixed tenure appointment, including an extension of a fixed tenure appointment.

**CALCULATION - YEARLY GRATUITY**

6069. Eligibility for gratuity is subject to the conduct of satisfactory service, and is calculated at the rate of twenty-two and one half percent (22 1/2%) of basic salary. Such calculation is done on the basis of complete periods of three (3) months' resident service, and includes approved vacation leave, if the gratuity is to be paid in a lump sum on the final completion of service. At the option of the person engaged, he may receive the gratuity at six (6) monthly intervals calculated on the same basis of each completed period of three month's resident service and at the same rate of twenty-two and one half percent (22 1/2%) of basic salary during the period of his/her employment.

**ON RETIREMENT - INVALIDITY BENEFITS**

6070. a. This clause applies to a person who becomes entitled to an amount of invalidity benefit under sub-section 18 of the Defence (Pensions and Gratuities) Regulations. This refers to retirement of a member on the ground of invalidity, or of physical or mental incapacity to perform their duties.
- b. If the person was a serving member of the Force as an officer immediately before retirement, the person is entitled to a gratuity worked out at a specified rate for each completed year of eligible service.

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- c. If the member's period of eligible service includes a period served as a member other than as an officer, the gratuity is worked out at a specified rate per year for the period of eligible service as a member other than an officer.
- d. A person will receive the gratuity amount in clause 2.3.12, Gratuity for officers, if both the following conditions apply:
  - (1) The person retired on or after attaining the compulsory retirement age within his/her rank.
  - (2) The person would have been entitled to a gratuity if they had not retired on the grounds of invalidity.

### **BENEFITS FOR RETIRED CHIEFS OF STAFF**

6071 The approved retirement package for Chiefs of Staff has been fixed in the context of the following equivalent, as follows:

- |                    |                         |
|--------------------|-------------------------|
| a. House Attendant | Staff Sergeant/Civilian |
| b. Driver          | Staff sergeant/Civilian |
| c. Guard           | Sergeant/Civilian       |
| d. Guard           | Sergeant/Civilian       |
| e. Driver          | Corporal/Civilian       |
| f. Guard           | Corporal/Civilian       |
| g. Guard           | Corporal/Civilian       |
| h. Guard           | Corporal/Civilian       |
| i. Guard           | Lance Corporal/Civilian |

### **BENEFITS FOR RETIRED COLONELS**

6072. The retirement package for Colonels is restricted to one (1) utility staff.

**PART 2 – CLEARANCE, PENSIONS AND GRATUITIES PROCEDURES**

**CLEARANCE: OFFICERS**

6073. Officers leaving the Guyana Defence Force will, before departure, deliver to the GDF Finance Officer one of the clearance certificates (done in triplicate) as shown at *Annex D* to chapter 5, duly signed by all the persons/relevant persons of the entities listed. It is to be delivered at least seven (7) days before the officer's run out date. The other copies are sent one each to the GPD and the Credit Union.

6074. Any deficiencies of public or Force property may be charged against the officer concerned in conjunction with the GDF Finance and General Personnel Department.

**CLEARANCE: SOLDIERS**

6075. Officers Commanding are to ensure that clearance certificates as at *Annex Q* to this chapter, are signed by every soldier leaving the Force and by the persons/relevant persons of the entities listed and submitted to the unit headquarters at least 7 days before the soldier's run out date.

6076. The certificate is not to be signed by the Officer Commanding until he has ensured that all deficiencies and outstanding bills have been made good by the soldier, or that the soldier has made satisfactory arrangements for their clearance after his discharge.

6077. Deficiencies or bills due may be charged against the soldier in conjunction with the OC Fin Department.

**PENSIONS AND GRATUITIES**

6078. Information on pension/gratuity for both officers and other ranks and the formulae used in their calculation is set out at **Annex R** to this Chapter.

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**PERSONNEL POLICY**

**CHAPTER 7**

**LEAVE CONDITIONS**

**GENERAL CONDITIONS**

7001. a. Notwithstanding leave granted for personal administration or compassionate reasons, or as a terminal benefit of normal retirement, discharge or transfer to the reserve Force, all Ranks shall be entitled to leave for the purpose of vacation (vacation leave) in accordance with the scale set out at para 7003.
- b. Leave should not be withheld without good reason. As far as possible, subject to the needs of the Force and the rules laid down for the specific form of leave, individuals should be allowed to take leave for which they are eligible as and when they desire it.
- c. Leave is not to be offered as inducement, granted as a reward or withheld as a punishment.
- d. All Ranks must be prepared to rejoin their units from leave at short notice;
- e. Rank in these Instructions refers to substantive, temporary and acting rank; and
- f. Members of the first class of the Guyana National Reserve when on call out will earn vacation leave in accordance with the scale laid down at para 7003.

**THE LEAVE YEAR**

7002. The leave year runs from 01 April of one year to 31 March the year next following.

**VACATION LEAVE**

7003. The following are Vacation Leave entitlements for Officers, Soldiers and Civilian

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employees.

a. **Officer/Soldiers**

(1)	Officers	-	42 days annually
(2)	WO1	-	42 days annually
(3)	WO2	-	35 days annually
(4)	Snr NCO	-	35 days annually
(5)	Jnr NCO	-	28 days annually
(6)	PTEs	-	21 days annually

b. **Civilian Employees**

(1)	Supervisory Level	-	35 days annually
(2)	Senior Staff Clerk Level	-	28 days annually
(3)	Junior Staff Clerk Level	-	21 days annually

c. Civilians may be entitled to forty-two (42) days vacation leave depending on the circumstances.

7004. A person subject to Military Law shall not be granted vacation leave until he has completed one year's regular service.

7005. Leave will only be granted upon written application on the prescribed proforma issued by DHQ (see Annex A).

7006. Leave shall start after duties (AD) on a working day and end at first parade (FP) on a working day.

7007. Leave must be published in Part 2 Orders for both Officers and Other Ranks.

7008. Leave shall not be granted during the following periods:

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- a. Between 15 December 15 January, annually.
- b. Field Tactical Exercises
- c. Operations
- d. National Emergencies.

### **LEAVE ENTITLEMENTS**

7009. Entitlements are based on the preceding year's service and are to be regulated in terms of calendar year. These include Sundays and Public Holiday, except where such days immediately precedes the date of commencement of the leave and resumption of duty.

7010. Individuals entering or leaving the Force during the leave year will be eligible for only a proportion of the annual entitlement for their rank. Persons promoted during the leave year to a rank which increases his entitlement will be eligible for a proportion of the entitlement for the previous rank and a proportion of the entitlement for the current rank.

7011. **Accumulation**. All ranks may, with the permission of the Chief of Staff, accumulate up to two (2) entitlements of vacation leave. The Chief of Staff may approve the accumulation of a third entitlement if he considers that the Rank cannot, due to the exigencies of the Force, be allowed to take that third entitlement at the time.

### **POLICY**

7012. a. Every Rank is, in each leave year, to be given the opportunity to proceed on all his annual leave entitlement. He is to take his annual entitlement either all at once or in such portions as may be convenient to his unit. No Rank is, in any leave year, to be denied an opportunity to proceed on vacation leave for a minimum period of 14 days.

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- b. Where due to the exigencies of the Force it is foreseen that a Rank, in a given leave year, will not be able to proceed on all his leave for that year, his Commanding Officer is to seek approval in writing from Defence Headquarters for the Rank to accumulate leave;
- c. Every Rank who has accumulated leave of two entitlements or more for that Rank's rank, shall, in each subsequent leave year, be sent on leave for a period or such periods not being less than the equivalent of that Rank's annual leave entitlement so that his accumulated leave is not increased;
- d. Every Rank who will not be serving beyond his current run out date (ROD) shall be sent on leave at such time as is necessary to accommodate all his outstanding leave, any leave due by virtue of that Rank being sent on such outstanding leave and terminal leave (if entitled), to meet his ROD; and
- e. Where a Rank has been medically boarded and is to be invalided from the Force, such Rank shall be sent immediately on all outstanding leave, any leave due by virtue of the Rank being sent on such outstanding leave and terminal leave (if entitled), and the Rank shall be discharged medically unfit at the expiration of all such leave taken.

**SALARY IN LIEU OF LEAVE**

7013. The payment of a salary in lieu of leave may be granted in the following circumstances:

- a. **In the case of a Rank retiring.** If in the situations described at para 7012, permission is not granted and the period remaining to his current ROD is less than his outstanding accumulated leave.
- b. **In the case of a Rank leaving the Force prematurely.** Where:
  - (1) The Rank is an officer who has been called upon by the Defence Board to resign his commission, has been removed from the Force by the President for misconduct, or has had his commission terminated, or

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- (2) The Rank is a warrant officer, NCO or soldier discharged on compassionate grounds, or discharged forthwith for reasons of misconduct, Forces no longer required, conviction by civil court, or by sentence of a court-martial; and
- c. In the case of the death of a Rank.

**PUBLIC AND MILITARY HOLIDAYS**

7014. Public and military holidays, as well as Saturdays and Sundays will count as part of vacation leave entitlement.

**LEAVE WHILE ON COURSE OF INSTRUCTION.**

7015. a. All Ranks on course will receive any leave granted by the training institution as part of the course, except where the Rank was attached to another training institution, or returned to the GDF for duty, during the period of such leave.
- b. If the leave is in excess of the Rank's annual entitlement, the excess will not be carried forward to the following leave year nor will it be deducted from his previous accumulated leave; and
- c. If the leave is less than the Rank's annual entitlement, it will be recorded and the balance carried forward as normal.

**LEAVE ON COMPLETION OF COURSES OR ATTACHMENT OVERSEAS**

7016. Ranks may, on the completion of courses or attachments overseas, be granted vacation leave at the discretion of the Chief of Staff. It is to be noted that the overseas rates of pay and allowance will not be admissible for such leave.

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**LEAVE ON RELEASE FROM DETENTION**

7017. Periods spent in detention will count as Force Leave for the purpose of reckoning leave. On release from detention, either on completion of sentence or on remission, a soldier may be granted vacation leave provided he is eligible for such leave under existing rules.

**ABSENCE WITHOUT LEAVE**

7018. A rank who is absent without leave for a period exceeding 28 days will not earn leave for the period which he was so absent.

**TERMINAL LEAVE**

7019. a. Terminal Leave which will constitute all vacation and existing entitlements not enjoyed by an Officer/Other Rank may be granted him/her during the period immediately preceding the effective date of discharge, provided that the entitlements accumulated shall have been formally approved and deferred by the Chief of Staff through the Commanding Officer of the Officer/Other Rank concerned.
- b. Ranks leaving the Force prematurely will receive terminal leave at the rate of one day for each complete month of Force, but not exceeding 28 days.
- c. Notwithstanding sub **paras a-b** above, a soldier being discharged on any of the following grounds is not entitled to terminal leave:
- (1) By sentence of a court-martial.
  - (2) By purchase.
  - (3) Conviction by civil court.
  - (4) Misconduct.
  - (5) False answer on attestation.

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- (6) Compassionate grounds.

### **TRAVELLING TIME**

7020. Travelling time for leave of absence will be granted only at the discretion of Commanding Officers.

### **STUDY LEAVE**

7021. Study Leave may be granted to an Officer/ Other Rank to attend approved course at an institution of higher learning by Defence Headquarters, provided that:

- a. the application for any leave shall be made through the Force.
- b. the applicant signs a service contract prior to attending the course.

### **COMPASSIONATE LEAVE**

7022. a. Compassionate leave will be granted only when a member's vacation leave has been exhausted. Such leave is designed to cater for compassionate cases in which the circumstances show evidence of finality within a limited period. In cases where compassionate circumstances require the presence of an individual but it is evident that finality will not be reached, immediate action must be taken to apply for compassionate discharge. Compassionate leave may be granted in such cases, where the presence of the individual is urgently required, pending receipt of a decision. Compassionate leave may \ be granted in the following cases:

- (1) Death, imminent death or dangerous illness of spouse, child, parent or other recorded next of kin; and
- (2) For urgent reasons of an exceptional or personal nature, when the presence

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of the individual is essential to lessen domestic hardship.

b. The compassionate circumstances will normally be verified before leave is granted but, in cases of extreme urgency, leave may be granted immediately and the circumstances investigated as soon as possible afterwards.

c. Compassionate leave will not be subtracted from vacation leave entitlement.

d. **Rules for Grant of Compassionate Leave:**

(1) Where the conditions of sub sub para (1) or (2) above are fulfilled, the Commanding Officer may authorise leave not exceeding seven (7) days;

(2) Extensions beyond seven (7) days may be authorised by the Chief of Staff, provided a total of Fourteen (14) days is not exceeded in any one circumstance or association of circumstances; and

(3) Any person whose case requires him to travel outside of Guyana shall be treated as a special case and will be referred to the Chief of Staff.

e. **Extension of Compassionate Leave.** Application for the extension of compassionate leave may be made in cases of extreme urgency, to the nearest GDF unit for onward transmission to the Chief of Staff who will authorize any extension considered necessary.

f. **Documentation.** A document of authority will be issued by the dispatching unit to the Rank proceeding on compassionate leave. The period of leave granted will be clearly shown on this document.

g. **Special cases.** The circumstances which may combine to form a compassionate case are almost limitless and it is not possible to cover every situation that may arise. Special cases not covered in this Instruction may be submitted to the Chief of Staff for his consideration.

h. **Soldiers Undergoing Detention.** A soldier undergoing a sentence of detention in a military establishment may be granted temporary release from such establishment by the Base Commander on compassionate grounds. The Base Commander may authorise

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the temporary release from a Military Detention Centre on the following grounds:

- (1) For the purposes of medical examination, observation or treatment for such period and subject to such conditions as he, acting on the advice of the medical officer, may determine.
  - (2) In cases where the death or dangerous illness of a near relative occurs and he is satisfied that the presence of the soldier under sentence is desirable;
  - (3) Where damage has been suffered by any premises occupied by the soldier's family or near relatives, and he (Base Commander) is satisfied that the presence of the soldier under sentence is desirable;
  - (4) Where the soldier under sentence could not make arrangements preliminary to or consequent upon the birth of a child, and the Base Commander is satisfied that the presence of the soldier under sentence is desirable for that purpose; where the soldier under sentence has requested facilities to enable him to marry a woman who is expecting a child;
  - (5) Where there are domestic difficulties concerning the soldier under sentence or his family and he (BComd) is satisfied that the personal attendance of the soldier under sentence is desirable.
- (i) The conditions subject to which the Base Commander may authorise the temporary release of a soldier under sentence are:
- (1) That the soldier under sentence shall comply with any conditions laid down by the Base Comd and to be observed by or in relation to the soldier under sentence during the period of his temporary release, including any conditions as to custody during the period of temporary release and as to the place or places where the soldier may or may not go during that period;
  - (2) That if the soldier under sentence fails to comply with any condition

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subject to which he was temporarily released the period of his temporary release shall thereby be terminated, and it shall be the duty of the soldier under sentence to report forthwith to the Base Commander.

**SHORT LEAVE AND LEAVE DURING PUBLIC HOLIDAYS**

7023. a. **Short Leave (excluding Public Holidays)**

- (1) The Commanding Officer may grant periods of short leave not exceeding 48 hours. In no circumstances may it be added to vacation leave and only in exceptional or compassionate circumstances may it be granted at periods other than at weekends; and
- (2) Commanding Officers will satisfy themselves that personnel who are granted short leave are in a position to meet the expense of any travel involved in returning to their unit.

b. **Public Holidays**

- (1) Ranks who can be spared may be allowed off duty during public holidays, but compensatory leave for those on duty will not be admissible except at Christmas, when those on duty may be allowed an equivalent period at the New Year. Short Leave, at weekends only, may be granted with a public holiday, except at Christmas when a total of seven (7) days leave may be granted;
- (2) The combined short leave and public holiday or Christmas leave is addition to the vacation leave admissible under *para 7003*.
- (3) Commanding Officers will satisfy themselves that personnel who are granted leave at such periods are in a position to meet the expense of any travel involved in returning to their units; and
- (4) When a public (or military) holiday falls within a period of privilege leave it will not be counted against the Rank's annual vacation leave

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entitlement.

**TRAVEL ABROAD AT PRIVATE EXPENSE**

7024. a. All Ranks who wish to spend authorised periods of leave in countries abroad may do so at their own risk and expense subject to the following conditions:
- (1) It must be clearly understood that an individual who is permitted to travel abroad at private expense is wholly responsible for the expenses of both outward and return journeys. It is a condition of granting such leave that the individual must produce proof of a return journey booking and show his return ticket or proof of payment for such return ticket, to his Commanding Officer before proceeding on leave;
  - (2) Before a Rank is permitted to proceed on leave abroad at private expense, he will complete a “GDF Leave Application Certificate” shown at **Annex A** to this chapter.
  - (3) It will be countersigned by the Commanding Officer and submitted to the Chief of Staff in the usual way for his approval before the individual is issued with his leave pass by the G2 Branch, after publication in Part 2 Orders..

**PERSONNEL SICK ON LEAVE OUTSIDE GUYANA**

7025. a. Personnel on leave outside Guyana will obtain treatment from civilian sources. The Rank is responsible for arranging and paying for any treatment from civilian sources;
- b. Personnel travelling outside Guyana at private expense are expected to arrange insurance to meet out-of-pocket expenses in the case of sickness or injury; and

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**RECALL FROM LEAVE**

7026. A rank may be recalled to duty during a period of leave only for the most compelling reason, which could not have been foreseen before his departure.

**PERSONNEL ON LEAVE IN GUYANA**

7027. a. On completion of the duty which necessitated the recall, the Rank may be allowed to resume the leave originally granted, provided that the unexpired period of leave:

- (1) Exceeds 3 days; and
- (2) Cannot reasonably be added to the next period of leave.

**PERSONNEL ON LEAVE OUTSIDE GUYANA**

7028. Personnel recalled from leave outside of Guyana may be allowed to resume leave. However, travel expenses incurred outside Guyana in resuming leave at private expense are not refundable.

**EMERGENCY RECALL**

7029. a. In an emergency, circumstances may arise which necessitate the immediate recall of all personnel on leave. In this event, instructions will be issued through the media; and
- b. Personnel who, for any reason, are unable to comply with the instructions issued will report immediately to the nearest military unit or, in the absence of a military unit, will contact their Officer Commanding immediately.

**CHANGE OF LEAVE CATEGORY**

7030. An Officer/Other Rank who moves into a higher leave category by virtue of Promotion will be eligible for vacation leave and vacation allowance in that category from the first day of the year.

**LEAVE: ON DEATH**

7031. The estate of an Officer /Other Rank, who dies in service, may be eligible for leave benefit earned by him up to the date of his death and any vacation allowance earned in respect of completed calendar year(s) service given by him.

**LEAVE: ON SECONDMENT**

7032 An Officer/Other Rank who is seconded (not with a view to transfer) to an agency or service which is deemed to be “public service” or “other public service” may choose vacation leave conditions applicable either to his substantive position or those applicable to the position to which he has been seconded.

**EXTERNAL TRAVEL**

7033. a. An Officer/Other Rank may be allowed to travel out of Guyana during his vacation leave and to spend a period not exceeding two (2) days less than his full leave entitlement.
- b. Overseas Leave may be granted to an Officer/Other Rank desirous of leaving the country provided that:

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- (1) The application for any such leave is submitted to the Chief of Staff through the normal channel at least 28 days before such leave is required.
- (2) Vacation Leave or some other authorised form of leave has been recommended by the Commanding Officer of the Officer/Other Rank concerned and that leave runs concurrently with the duration of overseas leave requested.

### **TERMINATION OF SERVICE: ON RETIREMENT**

7034. Where an Officer/Other Rank is retired or his/her service terminated in the “Interest of the Force other than grounds of misconduct, he/she will be entitled to vacation leave and vacation allowance earned in respect of any full year’s service and proportionate vacation allowance earned in respect of completed calendar months’ service at date of retirement or termination of service.

### **LEAVE: ON RESIGNATION**

7035. Where an Officer/Other Rank is discharged AHOR he/she will be entitled to vacation leave and vacation allowance earned in respect of any full years service and proportionate vacation leave only in respect of the completed calendar month’s service in the year of resignation.

### **LEAVE: ON TRANSFER**

7036. Where an Officer/Other Rank is transferred he/she will be entitled to vacation leave and vacation allowance earned in respect of any full year’s service and proportionate vacation leave only in respect of completed calendar month’s service in the year of transfer.

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### **LEAVE: ON DISMISSAL**

7037. Where an Officer/Other Rank is Discharged by Disgrace or dismissed, he/she will forfeit any vacation leave and allowances due.

### **SPECIAL LEAVE**

7038. Special Leave not exceeding twelve (12) days in any calendar year may be granted an Officer/Other Rank at the discretion of the Chief of Staff for the following purposes:

- a. To enable a person, as a delegate, to attend a conference of recognised associations when nominated by the Government.
- b. To enable a person who is selected by the proper authority to represent Guyana or the West Indies in an international sporting or cultural event.
- c. To attend seminars, or to take approved examinations providing that, they can produce time-tables and or other proof showing that they are selected as mentioned above or as the case may be.
- d. Any other conditions for the grant of this concession must be in accordance with Government's Policy

### **SICK LEAVE**

#### 7039. **Soldiers**

- a. Sick leave must be recommended by the Force Medical Officer or in his absence the Medical Officer
- b. Sick leave recommended by a Private or Government Medical Officer must be endorsed by the Force Medical Officer, after his examination of the soldier.

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c. All sick leave recommended by the Force Medical Officer has to be approved by the soldier's Officer Commanding or Commanding Officer before that soldier proceeds on sick leave.

d. Soldiers who are granted sick leave in excess of six (6) months will be required to appear before the Force Medical Board to determine their suitability for continued military service.

7040. Sick reports in excess of the above, will be received by the Commanding Officer and any additional consideration may be given at the Force's discretion.

7041. All payments shall be subject to entitlements under NIS.

7042. In the absence of the Force Medical Officer/Medical Officer, Senior Medics (WOs, SSGT, and SGT) who are trained nurses may recommend sick leave up to three (3) days.

7043 Whenever a soldier spends in excess of twenty-eight (28) days sick leave (accumulated), the remainder of that leave must be deducted from his/her annual leave. In cases where a rank's vacation leave has been exhausted he/she will cease to receive a salary and compensation sought from the NIS.

7044. Notwithstanding para 7043, sick leave may be granted to any officer or Other Rank for any period approved by the Chief of Staff on full pay during recovery from any injury received in the actual execution of duty irrespective of service.

## **CIVILIANS**

7045. Sick leave rules governing civilian employees are covered in the Memorandum of

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Agreement between the Guyana Defence Force and the Guyana Labour Union.

7046. A soldier having had sick leave recommended by the FMO/MO (or in their absence, the duly appointed Medics) and is unable to report to his/her Unit may seek the assistance of the Force Welfare Officer to notify his/her Unit, in respect to sick leave recommended by the FMO/MO. The soldier will however be required to report to his/her Unit (if not bed-ridden) before the expiration of the said leave, for approval by Unit Commander.

### **NO PAY LEAVE**

7047. a. Members of the Force will only be considered for No Pay Leave, after they would have exhausted their vacation leave entitlement.
- b. No Pay Leave up to ninety (90) days maybe granted by the Chief of Staff, on the recommendation of the Unit Commander or Department Heads through the respective Branch Head .
- c. No Pay Leave in excess of ninety (90) days maybe granted by the Defence Board on the recommendation of the Chief of Staff.

### **LEAVE – OTHER**

7048. The undermentioned are to be adhered to by all Units/Departments.
- a. A day off from duty maybe granted at the discretion of Unit Commanders and Department Heads. However, any day off from duty granted to a soldier must be deducted from his/her annual leave.
- b. There is no leave designed as Course Leave in the Force. Any leave granted to a soldier after completion of a course must be deducted from his/her annual leave.

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- c. A female soldier who enjoys maternity leave during any given year is not entitled to annual leave during that year, if same was not taken before or during her pregnancy.

### **MATERNITY LEAVE**

- 7049. a. **Civilian Employees.** Female civilian employees are entitled to leave based on the conditions as set out in the NIS Regulations governing maternity leave.
- b. **Female Soldiers.** Maternity Leave of thirteen (13) weeks duration may be granted to a female Officer/Other Rank.
- c. A female soldier who enjoys maternity leave during any given year is not entitled to annual leave during that year, if same was not taken before or during her pregnancy.

### **FUNERAL LEAVE**

- 7050. See rules governing civilian employees at Annex B to Chapter 1.

7051. The Commanding Officer reserves the right when in doubt to request that the evidence in writing be produced within seven (7) days from the employee concerned who has been granted leave for a funeral.

### **CASUAL LEAVE**

- 7052. A civilian employee shall be entitled to seven (7) days per annum, for emergency leave which may be deducted from his/her annual leave.

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### **JURY SERVICE LEAVE**

7053. a. Civilian employees are entitled to leave to attend jury service when summoned to do so, with full pay. Where it is practicable, employees should report for work before leaving for the courts. Such employees are required to submit satisfactory proof of summons to their Unit Heads.
- b. When not selected by the Courts civilian employees shall report for duty as usual.
- c. When dismissed from Jury Duty and more than one hour remains of the working day, employees must report for duty.

### **CERTIFIED SICK LEAVE**

7054. a. Civilian employees with less than three (3) months service will not be entitled to sick leave with pay.
- b. Employees with three (3) months to twelve months continuous service will be entitled to nine (9) working days leave with pay.
- c. Employees with twelve (12) months and more continuous service shall be entitled to fourteen (14) days leave with pay.
- d. An additional seven (7) working days leave with pay for every other year up to four (4) weeks.
- e. In cases of severe and prolonged illness and or hospitalisation in excess of three (3) years service, the employee is entitled to an overall thirteen (13) weeks pay.

### **USE OF EXTERNAL MEDICAL FACILITIES**

7055. Officers and Other Ranks are reminded that the utilisation of the services of private

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doctors, hospitals or other medical facilities which incur a cost to the Guyana Defence Force, must have the said approval/sanction of the FMO/MO. Failing to have the said approval/sanction, will result in applications for reimbursement by Ranks, not being approved/granted.

### **DESERTION/ABSENCE WITHOUT LEAVE PROCEDURE**

7056. The following essential procedural steps are to be followed when addressing issues of desertion and absence without leave:

- a. After seven (07) days absence of an Officer or Soldier, an abstract of evidence is done.
- b. Where the Officer or Soldier returns prior to the twenty-first (21<sup>st</sup>) of absence then a Summary of Evidence must be done (using the abstract as a base) and disciplinary action in accordance with Summary Jurisdiction Regulations. You may or may not order court martial proceedings against the absentee.
- c. Note that an Officer or Soldier can be court-martialed for any period of absence.
- d. Where an Officer or Soldier returns after twenty-one (21) days, a Summary of Evidence is ordered and you must take steps to have the deserter court-martialled in accordance with Summary Jurisdiction Regulations.
- e. In either case where a Officer or Soldier returns to work anytime after seven (07) days he/she must be held in detention until disciplinary proceedings are over. The location for detention will vary according to rank and security concerns. Ranks above Corporal should be detained at their respective accommodations.
- f. Officers and Soldiers in these two (02) categories are not entitled to regular pay. Only detention allowances are authorised.

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**RETURNED TO UNIT (RTU): SOLDIERS ABSENT WITHOUT LEAVE (AWOL)**

7057. Deserters, who return to the fold of the GDF, were to be published "Return To Unit". However, deserters who were absent without leave for six (6) months or more were to be disciplined with a view to having them separated from the GDF. Consideration for retention was to be given to those soldiers, absent without leave six (6) months and under, who are desirous of continuing their military careers. Soldiers in the latter category were to submit the following:

- a. A medical certificate of fitness
- b. Police Clearance
- c. Be screened by the G2 Branch, DHQ

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**PERSONNEL POLICY**

**CHAPTER 8**

**PREGNANCY**

**GENERAL**

8001. In order to maintain a physically fit cadre of women and to arrest the apparently high incidence of abortion the undermentioned policy has been enforced.

8002. All female soldiers will be permitted a maximum of two (2) pregnancies during military service subject to the regulations below:

- a. Category A - Single or married woman (recruit) without child. A single or married woman who is not yet a mother on enlistment in the Force, may be allowed a maximum of two pregnancies during a term of six (6) years and above in the regular Army, with the first pregnancy commencing not before the completion of two (2) years' regular service.
- b. Category B - Single or married woman (recruit) with child or children. A single or married woman, who already has on enlistment in the Force, two or more children, shall not be permitted any pregnancy during her service in the Guyana Defence Force. However, if she already has one child, she shall be permitted one pregnancy only, after completing two (2) years of regular service.

**ACTION ON DISCOVERY OF PREGNANCY**

8003. On discovery of pregnancy, the female soldier should:

- a. Visit the FMO who will examine and determine the stage of pregnancy.

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- b. Thereafter, the female soldier must report her condition to her immediate superior officer and/or a female officer, and at the same time advise him/her on the schedule of clinic visits.
- c. The female soldier will be expected to attend clinic as stipulated by the FMO until the commencement of her period of confinement.

**PREGNANCY AND FAMILY CARE COUNSELING**

8004. a. Commanding officers will ensure that the soldiers defined in this paragraph are identified and counselled.
- (1) Pregnant soldiers will be counselled and such counselling must include the specific information pertaining to the costs of maternity care obtained from civilian sources and the absence concerning maternity care in military medical facilities.
  - (2) Both parents will be counselled by his or her commanding officer when one or more of the following apply:
    - (a) Married to a member of the Army.
    - (b) Have joint physical and legal custody of one or more children under age 18.
    - (c) Have family members incapable of self-care regardless of age.
  - (3) Single parents will be counselled when one or more of the following apply:
    - (a) Have no spouse or are legally separated from a spouse.
    - (b) Have physical and legal custody of one or more children under age 18.
    - (c) Have family members incapable of self-care regardless of age.
- b. Soldiers must arrange for the care of their family members so as to:

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- (1) Be available for duty when and where the needs of the Force dictate.
  - (2) Be able to perform assigned military duties without interference.
  - (3) Remain eligible for interior/special assignment.
- c. Commanding officers must stress the obligations in “b” above. Moreover, they must ensure that soldiers know they do not receive special consideration in duty assignments or locations based on their responsibility for family members. The main evidence that soldiers have made adequate arrangements for the care of their dependents will be the documented evidence based on an interview.
- d. Female soldiers should benefit from family life education programmes and be encouraged to use contraceptive as recommended by the FMO or a qualified gynaecologist.

### **PREGNANCY AND PHYSICAL ACTIVITY**

8005. The FMO must advise at what stage a female soldier is exempted from flag-raising, physical training, drill, guard duties and any other form of strenuous physical exercises. A pregnant soldier is however, expected to perform creditably at her routine duties.

8006. Pregnancy is not a sickness. It must not be treated as such unless there are complications associated with the pregnancy. Female soldiers who have become pregnant require some adjustments in the level of physical activities, the need for weight requirements and environmental exposure. She must be removed from mobility status.

8007. Women who exercise during pregnancy retain a moderate level of fitness throughout the pregnancy, and experience better outcomes and less complications. However, the level of exercise must be adjusted to fit the pregnant women. It must be less intensive and for shorter periods.

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8008. She must be taken out of regular uniform at four to five months into the pregnancy and given a pregnancy style uniform, or allowed to wear civilian clothes. The following are also to be considered during pregnancy:

- a. She should not carry a rifle after three months since to do so can result in additional strain on the fetus.
- b. She should not be allowed to fire a weapon after five (5) months or be in such areas since it can affect the fetus.
- c. She is to be removed from areas of environmental hazards (chemical, heights etc).
- d. Shift and night work have been associated with preterm delivery. Shift work has been associated with increased fatigue in pregnant women.
- e. She should only be allowed to work during the day, and this must not exceed eight (8) hours with rest periods every two (2) hours.
- f. Some females become ill soon after conception and may require extended periods away from work.
- g. Some females require three (3) to six (6) months to recover and to return to pre-pregnant fitness level.

### **CONTRAVENTION OF PREGNANCY POLICY – CONDITIONS OF SERVICE**

8009. The Guyana Defence Force' Pregnancy Policy has been amended to reflect a change in the Administration's manner of dealing with female ranks who violate the pregnancy regulations. No longer would the Force dismiss a female rank for becoming pregnant within the first two years.

- a. Within the stipulated period of two years, following enlistment, female ranks are not expected to bear a child.
- b. Female ranks contravening the policy for the first time will not be dismissed from the Guyana Defence Force.

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- c. The Welfare Department will provide counseling to all pregnant female ranks.
- d. Where a female breaches the regulation within the first two years, she will serve until delivery, and then be granted twenty-eight (28) days Sick Leave. Thereafter she would be sent on two months “No Pay Leave”. The Force does not view child bearing as a burden and wishes to reduce the high number of abortions performed by female ranks
- e. As a consequence of a breach of the two year rule a female rank would have her intended promotion deferred by one year.
- f. If the father of the child is a military rank, he will be sanctioned for contributing to the breach of the policy. The female rank will enjoy all maternity benefits possible.
- g. The Force Medical Officer will ascertain the medical circumstances under which a pregnant female rank is to be exempted from strenuous activity.
- h. Should the female rank contravene the policy by again becoming pregnant within two years of her last pregnancy, she will immediately have instead her promotion deferred by one year.
- i. A female rank that has had her intended promotion deferred for a total of two years may have her services terminated from the Force due to her inability to advance in rank. Termination of service will depend on the outcome of a mandatory interview by a Board comprising the SO1 G1, FMO, the rank’s CO, senior female officer and the FSM. The Board will be chaired by the SO1G1. The critical question for the Board to determine is whether or not the particular female is able to competently execute her tasks and whether or not her loss of two years’ promotional opportunity impact negatively on her Unit and the Force as a whole. The following factors will also be taken into consideration:
  - (1) Skill
  - (2) Discipline

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- (3) Performance on the job
- (4) Years of service
- j. The decision to have an abortion rests solely with the female soldier. However, in terms of the Pregnancy Regulations an aborted pregnancy will be treated in like manner as in the case of a normal pregnancy.
- k. The Force will not allow a third violation of the two year rule. Any such violation will result in immediate dismissal.

### **MILITARY DRESS DURING PREGNANCY**

- 8010.
- a. A military uniform will be worn by pregnant soldiers while on duty.
  - b. It is the responsibility of the Force Medical Officer to recommend when pregnant soldiers are to commence wearing their pregnancy uniform. The Commanding Officer, Women's Army Corps is to grant approval to a pregnant soldier to wear civilian clothing.

### **GRANT OF MATERNITY LEAVE**

8011. The following procedure shall apply for the grant of maternity leave to female ranks in the Guyana Defence Force:

- a. The rank who wishes to avail herself of this facility, shall submit to the National Insurance Section, Finance Department, Defence Headquarters, a certificate of expected confinement if she wishes to proceed on leave before delivery, together with her application for maternity leave giving dates, at least six (6) weeks before the expected date of confinement.
- b. A soldier who does not take leave before delivery should also submit her application for maternity leave at least six (6) weeks before the expected date of confinement.

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- c. The NIS Section, Finance Department, will complete the NIS Form and forward it together with the certificate of expected confinement to the National Insurance Scheme.
- d. Thereafter, Defence Headquarters will process the application for maternity leave.
- e. While the soldier is on maternity leave she shall be paid seventy percent of her insurable earnings by the NIS and the difference between the substantive salary and the seventy percent (70%) given by NIS, will be paid by the GDF.
- f. No payment of the thirty percent (30%) will be made by GDF until all leave is completed.
- g. The rank shall submit her certificate of confinement to the National Insurance Scheme no later than one month after the date of confinement.
- h. The NIS Section of the GDF Finance Department shall complete and forward the NIS Form to the National Insurance Scheme on the rank's resumption of duty.
- i. In case of illness, a female rank can be granted leave before the scheduled eight (8) months of pregnancy, but this can only be approved on the recommendation of the FMO.
- j. It is the responsibility of Unit Commander/Department Heads to notify the General Personnel Department, Defence Headquarters when a female rank proceeds on maternity leave.
- k. Should a female rank be certified unfit for duty by the FMO two months after the confinement period she should be granted No Pay Leave, for a period not exceeding two (2) months. The grant of this leave shall depend on the rank's years of service and record of conduct.
- l. Vacation Leave if not taken during pregnancy will not be granted after the confinement period.
- m. The Welfare Department in collaboration with the Medical Corps, is to implement a system of monitoring pregnant ranks to ensure that they are counseled and properly

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guided in preparation for the period of confinement and/or in case of the decision to abort a pregnancy.

**HEALTH CONSIDERATION AFTER PREGNANCY**

8012. Exemptions from strenuous physical exercises should be granted to female soldiers up to the end of the third (3<sup>rd</sup>) month following the date of delivery unless recommended by the FMO.

**POSTING AFTER MATERNITY LEAVE**

8013. The posting of female soldiers to a Georgetown based unit after maternity leave should not be encouraged. However, in extreme circumstances and on the recommendation of the Force Welfare Officer, special consideration may be given to an individual requesting a posting to a particular location. In such case, the soldier should be allowed a minimum period of three months to organise her domestic life.

8014 – 8018 Spare.

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**PERSONNEL POLICY**  
**CHAPTER 9**  
**DEATHS AND FUNERALS**

**PART 1: GENERAL**

**DEATHS**

9001. On receipt of a report of the death of a member of the Force, the Duty Officer, Orderly Officer/Adjutant/Executive Officer of a Unit receiving the report will immediately inform the Staff Officer 1, Administration for the information of the Chief of Staff, giving the number rank and name of the member, the Unit to which he/she belongs and the name and address of next of kin if already known (see Annex A for Death Report Proforma). This information must also be given immediately to the Officer Commanding, Welfare Department, who will do the following:

- a. Send a signal to the soldier's parent Unit reporting on his/her death.
- b. Ascertain the soldier's next of kin if not already known. **Deaths**
  - (1). **Notification of Next of Kin.** In the event that the soldier dies whilst on active duty (during an exercise or training) details would be given after consultation with the Staff Officer 1 Administration, Defence Headquarters. Commanding Officers are responsible for ensuring the notification of next of kin of fatal casualties. Whenever possible, notification is to be given by a personal visit from an officer of the unit concerned. Where information has reached the next of kin through the media before a personal visit could be made, the Commanding Officer is to arrange for a follow-up visit to be made as soon as possible by an officer from his unit.
  - (2). **Arrangement of Visits to Next of Kin**
    - (a) Commanding Officers are responsible for arranging such visits

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which, in the case of officers should be an officer of senior or equivalent rank to the casualty; and

(b) A follow-up visit, apart from the one mentioned at sub para **a** above, should, whenever possible, be made to advise the next of kin on what action the Guyana Defence Force is taking in respect of the deceased. This visit should be timed to take place within a few days of dispatch of the official letter of condolence.

(c) In case of death, the Commanding Officer of the unit on whose strength the deceased Rank is held will be, in addition to the responsibilities outlined above, responsible for the following:

- (1) Reporting the death to the nearest police station;
- (2) Ascertaining whether the next of kin desires a military or private funeral and notify the Headquarters accordingly;
- (3) Arranging a suitable date for the funeral with the next of kin and the Force Chaplain;
- (4) Rehearsal and preparation of funeral arrangements as detailed by the Headquarters;
- (5) Checking off and securing the effects of the deceased;
- (6) Purchasing wreaths (including one for the Chief of Staff; the Headquarters is to be billed accordingly);
- (7) Convening a board of inquiry.
- (8) Handing over all the deceased's personal effects to his next of kin in due course; and

c. Make arrangements with the Government Pathologist, Public Hospital Georgetown for the post mortem. The Police will be consulted about the Coroner's order.

d. Inform the funeral parlour which is under contract, or funeral parlour of the next of kin's choice, about uplifting body after post mortem.

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- e. Arrange burial after discussion with Staff Officer<sup>1</sup> Administration, Chaplain and next of kin. Responsibilities of the Force are:
  - (1) Provision of Casket/Coffin
  - (2) Construction of Tomb
- f. Write the Funeral Order after discussion with the CO, OC, Adjutant/Executive Officer of the Unit/Department to which the soldier was attached.
- g. Encourage the soldier's parent unit to give full support to the family of the deceased.
- h. Publishing the death in Part 2 Orders.

9002. **Headquarters Guyana Defence Force Responsibilities.** In the case of death the Headquarters will:

- a. Notify the Office of the President/Ministry responsible for Defence;
- b. Liaise as necessary with the contractor responsible for providing the coffin and preparing the body for burial, etc;
- c. Notify the Ministry responsible for death benefits of the death;
- d. Remind the GDF Pay and Records Office to send the deceased's statement of service and details of pensionable emoluments to the Ministry responsible for death benefits; and
- e. Forward the relevant documents to the Ministry responsible for death benefits.

9003. **Release of Names to the Media.** In order to ensure, as far as possible, that the names of casualties are not published before the official notification has been received by the next of kin, names are not to be released for publication until it is certain that all next of kin have been informed and, ideally, until the day after the accident (this will give the families time to inform

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other relatives and to take other action as is necessary to reduce the trauma normally caused by death).

9004. Where a member of the Force dies while overseas, his Commanding Officer will, with the assistance of the Headquarters if necessary, report the death under normal procedure, giving details of the funeral options actually available in the particular case. The report mentioned at para 9002 should be sent as soon as possible after the initial notification. The Guyana Defence Force official must know the full facts before discussing funeral arrangement, if applicable, with the next of kin.

### **NOTIFICATION OF DEATH OF FOREIGN AND COMMONWEALTH FORCES PERSONNEL**

9005. It is important that foreign and Commonwealth governments should be promptly informed of the death of any member of their Forces who attached to the Guyana Defence Force on exchange or for training. The Commanding Officer of the unit to which the officer or soldier was attached is to report his death immediately to the Headquarters.

9006. The flag of the deceased soldier's parent unit will be flown at half-mast from that date of the death report until date of burial, while the Force Flag will be flown at half mast on the day of funeral only.

9007. The following is the action to be initiated /taken on receipt of news of death of an Officer or ORs of the Guyana Defence Force.

- a. A signal is sent to CO 4 Engr Bn requesting construction of a tomb at the burial site and provision of the military casket.
- b. A request is made for the Corps of Drums through OC Band Corps.

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- c. A request is made is made for medical and PR Coverage through OC Med Corps and OC PRED.
- d. The police are notified as necessary for traffic arrangement.
- e. The Chaplain and Welfare Officers are to visit the home and family of the deceased to extend condolences and words of consolation on behalf of the Chief of Staff, Officers and Other Ranks.
- f. The Chaplain is to coordinate and confirm funeral service and also burial arrangement as necessary.
- g. Cash is to be requested from the Force Welfare Fund for purchase of wreaths.
- h. SO1 G1 and Force Welfare Officer are to be kept informed of progress made in these arrangements by persons responsible for specific areas of activities. The funeral order is then to be produced by Welfare Department when all arrangement has been finalised.

### **CIRCUMSTANCES SURROUNDING DEATH**

9008. Soldiers may lose their lives under different circumstances. These include

- a. Officers and soldiers while in the legitimate execution of duty (e.g. in sleep, walking, in camp, accidental discharge, accidents whilst on duty etc).
- b. At home or hospital as a result of illness or on the way home( e.g. in sleep, on the way from work, at the end of work, relaxing).
- c. While as a deserter or absent in excess of twenty-one (21) days.
- d. While committing an illegal act (e.g. escaping from custody, entering prohibited areas, robbery etc).
- e. Suicide.

9009. Categories “a” and “b” will be entitled to a full military funeral.

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9010 Categories “c”, “d” and “e” will not be given a full military funeral but will have token representation from the unit to which they were members.

### **BENEFITS**

9011. Benefits to soldiers are as follows:

- a. The Guyana Defence Force will meet expenses as outlined at *para 9001 e (1) and (2)*.
- b. With respect to categories “c” and “d” the sum stipulated as Government’s contribution to the burial of member of the Force will be made available to assist with the his contribution to the Dependant’s Fund.
- c. Accumulated contribution to the Credit Union’s Funeral Assistance Scheme (if eligible).

## **PART 2 – DEATH OVERSEAS**

### **GENERAL**

9012. a. All serving members of the regular Force, and members of the first class of the National Reserve who die while on the call out, are entitled to burial at public expense. The costs of such arrangements shall not exceed amounts which may be prescribed by the Headquarters from time to time.
- b. Serving members of the first class of the Reserve who die while not on the call out, must be buried at the expense of the estate of the deceased. No public funds are to be expended in such cases. Where these result in hardship however, application may be made to the Headquarters for a welfare grant to assist in meeting costs.
  - c. Serving members of the regular Force may be buried in a military cemetery.
  - d. Serving members of the first class of the Reserve may be buried in a

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military cemetery.

### **DEATH ON DUTY**

9013. The unit is to obtain the next of kin's wishes regarding the funeral arrangements. The options are:

- a. A service funeral (burial or cremation) at public expense;
- b. Service burial in a private or family grave; or
- c. A funeral under private arrangements.

### **DEATH ON LEAVE**

9014. a. The options are:

- (1) A service funeral (burial or cremation) at public expense;
- (2) Service burial in a private or family grave; or
- (3) A funeral under private arrangements.

b. It should be noted that conveyance cost in repatriating the body from overseas is not payable when death occurs while the rank was on leave overseas.

### **SERVICE FUNERALS**

9015. a. Arrangements to be made by the Guyana Defence Force as follows:

- (1) **Death in Military Installation.** When death occurs in a military installation the body is to be sent to the undertakers holding the standing contract for the Force. The Force Medical Officer is to forward a statement, through the deceased's Commanding Officer, of the date and cause of death.
- (2) **Death Outside of Military Installation.** When death occurs outside of a

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military installation, arrangements may possibly be made with a local undertaker until, if necessary, the body can be transferred to the undertaker holding the standing contract for the Force.

b. **Local Burials in Exceptional Circumstances:**

(1) Burials should take place locally, and next-of-kin should not be asked their wishes if:

(a) In the opinion of the Headquarters, the number of bodies to be dealt with, or difficulties over transport, render other procedures impracticable; or

(b) The state of the body makes early and local burial imperative.

(2) **Attendance by Relatives.** In either case, if attendance by relatives is possible, the Commanding Officer is to inform the next of kin of the date, time and place of the funeral, the time the next of kin should arrive and to whom he should report.

c. **Force Representation at Service Funerals**

(1) When personnel are interred and buried by the Force, arrangements should be made for:

(a) **Force Representation**

i. The Chief of Staff will be represented by an officer of the staff of Defence Headquarters unless he elects to attend himself;

ii. Subject to the exigencies of the Service, as many representatives from the unit in which the deceased was serving at the time of his death are normally to attend the funeral. When this is not practicable, arrangements should be made for an appropriate representation, as determined by the Commanding Officer;

iii. Commanding Officers of other units are to ensure the attendance of Ranks as directed by Defence Headquarters; and

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iv. The expenses of authorised representation are to be met from public funds.

(b) **National Flag**. A National Flag should be provided for the burial. When the death occurred overseas the flag is to cover the coffin throughout the journey home, whether it is required for the burial or not. Either an officer or warrant officer should be tasked to recover the flag.

d. **Expenses of Service Burials and Cremations**

(1) **Burials - Chargeable Expenses**. The following expenses are chargeable to military funeral funds:

- (a) Provision of coffin and shroud;
- (b) Absorbent filling for coffin when required.
- (c) Special services such as metallic lining or exceptional preparation of the body;
- (d) Reasonable conveyance costs to place of burial;
- (e) If not buried in military cemetery - cost of the purchase of burial rights or plot if necessary;
- (f) Personal attendance and supervision of funeral arrangements by the undertaker;
- (g) Cost of airfreight for transporting body from overseas (where applicable);
- (h) Hire of hearse, if required;
- (j) One funeral conveyance for the relatives; and
- (k) Rectors, clerks' and interment fees.

(2) **Burial – Non-chargeable Expenses**. The following are not to be charged to the military funeral funds:

- (a) Media notices;
- (b) A second conveyance for the relatives; and

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- (c) Cost of air freight for transit of coffin within Guyana.
- (3) **Cremations - Chargeable Expenses.** The following expenses are chargeable to military funeral funds.
  - (a) Cremation coffin;
  - (b) Fees for cremation and for funeral service at the crematorium, including undertaker's costs;
  - (c) Return of ashes in a suitable urn or casket to the next of kin to any address in Guyana;
  - (d) A five-line entry in the book of remembrance comprising the Regimental number, rank and name of the deceased together with the date of death and name of his unit;
  - (e) Fees for medical certificates when these have to be obtained locally; and
  - (f) Reasonable conveyance costs when applicable.
- (4) **Cremation – Non-chargeable Expenses.** The following are not allowed as charges to the military funeral funds:
  - (a) Burial of urn or casket;
  - (b) Provision of memorial;
  - (c) Retention fees at crematorium;
  - (d) Personal inscriptions in the book of remembrance;
  - (e) Media notices;
  - (f) Second conveyance for the relatives; and
  - (g) Cost of air freight within Guyana for sending ashes to the next of kin.
- (5) Where GDF contractors are not available to arrange the cremation service it is essential that the undertakers so doing should be told that the cheapest type of urn or casket is to be supplied.

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(6) **Bills.** A copy of the undertakers' bill detailing as many as practicable of the costs shown above should be sent to the SO1 G1 (Personnel) at the Headquarters.

(7) **Provision of Headstone.** The SO1 G1 (Personnel and Administration) is responsible for authorising the provision of headstones for deceased personnel serving in Guyana and where necessary abroad. He will correspond directly with the next of kin regarding inscriptions and will instruct the manufacturers.

d. **Military Graves**

(1) **Force Burial Arrangements.** When burial arrangements are made by the Force, Commanding Officers should ensure that whenever possible, interment takes place in a military cemetery. Where abroad, Commanding Officers should contact the Embassy, Consulate or High Commission (as appropriate) who will advise on local burial facilities. Where satisfactory facilities do not exist, Commanding Officers should request advice from the Headquarters.

(2) **Military Graves; Detailed Instructions.** Not more than one military burial is normally to be made in any grave. Military graves are, therefore, to be dug to a depth of four (4) feet in military cemeteries; and to the minimum depth allowed by the responsible local authority for a single burial in civil cemeteries and churchyards.

(3) **Burial of Ex-Ranks.** In the case of ex-ranks, there is no entitlement to burial in a military cemetery, but the Chief of Staff may consider applications made through the Guyana Legion.

(4) **Service Burial in Civil Grounds.** On those occasions when the Force burial takes place in a civil cemetery or churchyard and it is necessary to purchase the rights to the funeral plot on behalf of the Force, the title deeds of the plot are to be obtained by the Commanding Officer of 21 Engineer Battalion (GDF).

f. **Burial in Private or Family Grave.** If the next of kin requests that the deceased is buried in a private or family grave instead of a military grave in the same locality, and

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no additional costs are incurred, the Force funeral may take place accordingly. The next of kin should be told that the maintenance of such a grave is their responsibility.

**FUNERALS UNDER PRIVATE ARRANGEMENTS**

9016. a. In all communications with next of kin before a body is sent home for private burial, care is to be taken to inform them of the exact amount of assistance towards the funeral expenses that may be expected.
- b. When the next of kin make their own arrangements for the funeral, the cost of preparing the body, provision of a coffin and its conveyance to an undertaker at a selected destination in Guyana is to be met from public funds and a grant may be paid to the next of kin. If the coffin is provided by the next of kin then the grant payable should be adjusted and paid together with conveyance costs. The next of kin must be advised that costs payable from public funds will not exceed the amount which is authorised in the standing contract for military funerals.
- c. When death occurs while the Rank was on leave overseas, conveyance, cost in repatriating the body is not payable from public funds.
- d. **Force Representation at Private Funerals**
- (1) **Force Representation.** Force representation may be arranged if it is the wish of the next of kin. Subject to the exigencies of the Force, at least one representative from the unit in which the deceased was serving at the time of his death is normally to attend the funeral. When this is not practicable, arrangements should be made for a representative to be sent from the nearest military unit. If it is considered necessary, Commanding Officer may authorise the attendance of both an officer and a soldier. The expenses of authorised representation are to be met from public funds.
- (2) **National Flag.** A National Flag should be provided for the burial. The

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flag is to cover the coffin throughout the journey home, whether it is required for the burial or not, and the rank who attends the funeral is to be responsible for handing it over to the next of kin.

### **REPORTING PROCEDURES**

9017. a. **Reports by Commanding Officer.** Commanding Officers will report to Defence Headquarters under the normal procedure. Commanding Officers are also responsible for arranging the official visit to the next of kin, giving details of the funeral options actually available in the particular case.
- b. **Funeral Arrangements - Reporting of Next of Kin's Wishes.** The Commanding Officer responsible for arranging the visit should notify Defence Headquarters of the next of kin's wishes regarding funeral arrangements.

### **PART 3 - FUNERAL OPTIONS: DEATH IN GUYANA**

#### **FUNERAL OPTIONS**

9018. a. The next of kin is to be given the following options, depending on the practical possibilities:
- (1) Overseas burial;
  - (2) Overseas cremation;
  - (3) Repatriation of body (from countries where this is practicable); or
  - (4) Repatriation of ashes.
- b. These options are a privilege, not a right. This provision is made to protect the Force in circumstances which would make repatriation of bodies or visits of next of kin etc impracticable or very undesirable.

**OVERSEAS BURIAL**

9019. This is a funeral under Force arrangements at public expense which is done in the country where the death occurred.

**ATTENDANCE OF NEXT OF KIN AT OVERSEAS BURIALS**

9020. a. The next of kin (or for accompanied married personnel, a parent or child of the deceased), may attend the funeral at public expense. If this option is requested the reporting officer is to advise Defence Headquarters, stating name, address and telephone numbers of the persons invited and the place, time and date of the funeral. The GDF representative overseas is to be responsible for arranging food, accommodation, etc, within the following limits:

- (1) The next of kin/family will usually be allocated public accommodation and their actual cost of meals (and accommodation if economically charged) may be paid;
- (2) Where the invited person stays with GDF families, the host should receive one-third of the daily rate of travelling and subsistence allowance appropriate to the deceased Rank's grade or rank;
- (3) Where the invited person is given hotel accommodation actual costs would be paid within the daily rate of travelling and subsistence allowance entitlement of the deceased Rank;
- (4) Where the invited person prefers to make his own arrangements there would be no assistance from public funds.

b. If no GDF representative is available in the country where the death occurred, the next of kin/family is to be accompanied by an officer of the deceased's unit who is to make all the necessary arrangements in that country.

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c. **Provision of Transport.** The GDF overseas representative is to be responsible for providing the necessary transport and is also to make arrangements for the visitor's return to Guyana. Early flight bookings should be arranged to avoid extended stays by visitors overseas. Where next of kin and/or relatives wish to extend their stay this will not be at public expense.

d. **Attendance at Grave in Place of Attendance at Funeral.** Where it is not practicable to offer attendance at the funeral a visit not exceeding seven (7) days duration by the wife may be made to the grave at public expense within a reasonable time of the rank's death.

### **HEADSTONE**

9021. A Force pattern headstone, suitably inscribed will be provided and the grave will be maintained.

### **OVERSEAS CREMATION**

9022. If there is a local crematorium the funeral service may be conducted there. The ashes may be scattered locally, retained by the next of kin or repatriated to Guyana to a place designated by the next of kin for private disposal. A five-line entry in the book of remembrance at the crematorium may be made at public expense.

### **REPATRIATION OF BODY**

9023. a. **Expenses Incurred.** This will be done at public expense to a place designated by the next of kin in Guyana for subsequent burial. Repatriation to other countries will be at private expense only.

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- b. **Non-repatriation.** Where repatriation of a body cannot be arranged, e.g., because of lack of refrigeration, embalming or other facilities in the country in which the death occurred, Defence Headquarters should be advised of the reason.
- c. **Procedures:**
  - (1) The procedure for the repatriation and collection of a body from an overseas non-military institution is set out at **Annex E**.
  - (2) The procedure for the repatriation and collection of a body from an overseas military institution is set out at **Annex F**.

### **PERSONNEL ON LEAVE**

9024. a. When personnel undergoing overseas training or serving at an overseas station die while away from the said base on local leave, arrangements will be as detailed in 9018.
- b. When personnel serving at an overseas base/station die while travelling overseas on leave under private arrangements repatriation of the body will not be at public expense.
- c. Personnel stationed in Guyana who die outside Guyana on leave at private expense may not be repatriated to Guyana at public expense.

### **DEATH FROM INFECTIOUS DISEASE**

9025. There is no legal obligation to embalmment or repatriation of bodies of those who have died from infectious disease. Embalming may not, however, be possible in cases of drowning.

### **LEGAL REQUIREMENTS**

9026. a. **Certificates required.** Under current Guyanese regulations, bodies moved to

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Guyana must be accompanied by prescribed medical and death certificates.

- (1) These certificates are to be obtained by the GDF representative responsible for the repatriation arrangements and are to be handed over to the shipping agents.
- (2) The certificates are to be placed in a sealed envelope marked with details of contents and attached to the air way bill.
- (3) Both certificates will be detached and taken by the shipping agent on arrival of the body and the agent will give them to the customs' and Coroner's officials at the airport. They will serve as authority for the body to be released for movement to its destination.

### **MEDICAL REQUIREMENTS**

9027. a. **Air Repatriation.** When bodies are to be repatriated by air to Guyana the following conditions will be observed:

- (1) Bodies will be embalmed; the coffin must have a hermetically sealed lining usually of zinc and the outer coffin will be sealed.
- (2) If no embalming facilities exist, bodies are to be placed in refrigeration until they can be sealed into a zinc-lined coffin enclosed in a suitable robust outer case (to prevent damage and possible penetration or rupture of the metal inner coffin). All such procedures are to be carried out to the satisfaction of a medical officer.

### **ARRIVAL OF BODY IN GUYANA**

9028. a. Defence Headquarters is responsible for notifying the Rank's parent unit of the proposed arrival time of the body. The unit and the local undertakers or their agent are responsible for:

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- (1) Meeting the aircraft.
  - (2) Clearing the body through customs, and obtaining the coroner's authority to remove the body to a designated facility.
  - (3) Removing the body and its conveyance to the nominated undertaker/morgue.
- b. The unit and the undertakers are responsible for the removal of the body without delay. Where a body is received and cannot be removed within a few hours of arrival it is to be placed in a lockable room temporarily set aside for this purpose.

### **REPATRIATION OF ASHES**

9029. a. When the next of kin requests that a deceased Rank be cremated overseas and the ashes returned to Guyana for private disposal the following procedure to be adopted is set out at **Annex 'G'** to this Chapter.
- b. It should be noted that the procedure at **Annex 'G'** does not affect arrangements whereby the ashes of a deceased Rank may be repatriated to Guyana by hand of a fellow Rank.

### **DEPENDANTS OF FORCE PERSONNEL WHO DIE WHILE OFFICIALLY OVERSEAS**

9030. a. **Responsibility of Force Personnel.** Force personnel are responsible for making funeral arrangements for the burial or cremation of dependants. They may have the choice of:
- (1) Having the dependant's remains conveyed to Guyana at public expense, or

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- (2) **An overseas burial.** The costs of such arrangements to be paid at public expense shall not exceed amounts which may be prescribed by the Headquarters from time to time and are to be borne against military funeral funds.
- b. **Conveyance of Remains at Public Expense.** Conveyance of remains at public expense will be done by commercial air. The cost of repatriation (including coffin, freight, airport handling charges, conveyance to the nominated undertakers) will be met from public funds. Dependants in this case are:
- (1) Those members of the family who were conveyed overseas at public expense;
  - (2) Children born to the officer or soldier and his wife/husband while he or she is serving abroad; and
  - (3) Spouses of Force personnel who married while serving abroad, if the spouse is entitled to passage to Guyana at public expense.
- c. **Overseas Funeral Costs.** Should the costs of an unostentatious overseas funeral exceed the amount prescribed by Defence Headquarters, a grant may be made from the GDF Welfare Fund.

### **REPATRIATION OF DECEASED FOREIGN FORCES PERSONNEL**

9031. The procedures and ceremonial for the repatriation of the body of a deceased guest foreign Rank is as set out at **Annex H** to this Chapter.

## **PART 4: MILITARY FUNERAL**

### **CEREMONY TO BE OBSERVED AT A MILITARY FUNERAL**

9030. At full military funerals for members of the Force, unless otherwise ordered by the Chief

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of Staff the following will be provided:

- a. The Band
- b. Firing Party
- c. Bearer Party and in the case of Officers. Pall bearers.
- d. Mourning Party

9031. An Officer of the unit from which the deceased soldier was a member will be in charge of the parade. He/she will ensure that all officers and soldiers wear black arm bands on their left arm.

### **THE FIRING PARTY**

9032. a. A Firing Party consisting of a Senior NCO, One Corporal and twelve (12) Private Soldiers will attend to fire volleys at the funeral of all officers and soldiers.
- b. The Firing Party will be drawn from the officer's or soldier's parent unit.
  - c. In marching in slow time, arms will be carried at the reverse and in quick time at the trail.
  - d. During the march, arms may be changed, but the party will not march at ease.

### **THE BEARER PARTY**

9033. a. The bearer Party will consist of an Officer, Warrant Officer or Non Commissioned Officer-in-Charge and eight (8) bearers of equal rank to the deceased.
- b. The Officers-in-Charge, Bearer Party will see that the Flag, head dress, side arms and wreaths are properly arranged on, and tied to the coffin to prevent them from falling.
  - c. In case of funerals of Officers of field rank and above, the coffin should be carried by Senior Warrant Officers or non Commissioned Officers.

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- d. A Senior Non Commissioned Officer will be detailed to ensure that the head dress of the bearers are removed and retained in his/her possession whilst the coffin is being lifted to and from the hearse.
- e. The bearers will march on either side of, and next to the Military Hearse.

### **THE MOURNER PARTY**

9034. Each unit is to arrange for at least one Officer and two (2) Other Ranks to attend a soldier's funeral but mourners from the parent unit of the soldier must be in the majority.

### **MILITARY POLICE DEPARTMENT**

9035. The Military Police Department will be detailed to assist with preparing the deceased for burial and control of traffic.

### **ESCORTS**

9036. The Adjutant/Executive Officer of the soldier's parent unit should conform to the following:

- a. If the burial is to take place in Georgetown Residence/Funeral Parlour to Le Repentir Cemetery, Georgetown to Mahaica or Georgetown to Soesdyke, a Non Commissioned Officer (NCO) and two (2) Other Ranks (ORs) armed with Personal Weapons and live ammunition are to be detailed as escorts.
- b. If the Burial is to take place out of Georgetown Mahaicony to Skeldon; Mahaicony to East Bank Berbice; Vreed-en-Hoop to Parika, Adventure to Charity, Adventure to Supenaam; Georgetown to Linden, Vreed-en-Hoop Free and East, West

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Bank Demerara, A Senior Non Commissioned officer (SNCO) and five Other Ranks armed with personal weapons and live ammunition are to be detailed as escorts.

### **CHAPLAIN**

9037. The Force Chaplain and/Priest identified by the deceased soldier's family will officiate.

### **MILITARY HEARSE**

9038. The Military Hearse provided by the Staff officer 3, (Movement), DHQ is to be handed over to the provost Marshall a day before the funeral, for preparation.

### **ORDER OF FORMING UP**

9039. a. The Firing Party will be drawn up to two deep with sloped arms, on pace interval between files, facing the building where the body is placed.
- b. The corporal will be on the flank of the front rank towards which the procession will move.
- c. The Senior NCO will give all words of command and be posted in the rear of the center as soon as the body is brought out of the building by bearers.
- d. The NCO in charge of the Firing Party will give the command "PRESENT ARMS"
- e. When the coffin has been placed in the Military Hearse and the cortege is ready to move off, the NCO will order "REVERSE ARMS, Right (OR LEFT) TURN".
- f. The Corporal taking his/her place two paces in front and midway between the ranks "SLOW MARCH".

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- g. The military mourners, band and drummers (with drums muffled) will have formed up in two ranks, facing inwards with two paces interval between men and eight paces distance between ranks.
- h. The Firing Party and the remainder of the leading portion of the procession will pass between the Ranks.
- i. The Officer- in - Charge of the Parade will give the word of command “RIGHT/LEFT TURN”, “BY THE LEFT SLOW MARCH”.

### **THE PROCESSION**

9040. The procession will move off in the following order:

- a. Escort
- b. Firing Party
- c. Band and Drums
- d. Military Hearse
- e. Bearer will march on either side of, and next to the Military Hearse
- f. Mourners in uniform in order of seniority, from left to right
- g. Next to kin
- h. Other mourners
- i. Motor cars or other vehicles

9041. Administrative Orders, with detailed instructions, will be prepared for all funerals. All vehicles except the hearse will depart the embussing point in the following order at timings laid down in Administrative order:

- a. Chaplin and Welfare Officer’s vehicle
- b. Corps of Drums
- c. Escorts/Firing Party

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- d. Mourners

### **PROCEDURE OF CARRYING THE COFFIN**

- 9042. a. The coffin will always be carried feet foremost and the bearers will work on the command of the SNCO responsible for the Bearer Party.
- b. Words of command will be given in a quiet low tone: for example, “PREPARE TO LOWER – LOWER”.
- c. When in the lift position, the Bearer Party should be evenly spaced – four (4) on each side of the coffin, their arms crossed and around each other’s shoulder, the coffin resting on the shoulder with the cheek close to the side of the coffin itself.

### **THE BAND**

- 9043. a. The Band will begin to play the DEAD MARCH when about 300 yards from the parlour or house of mourning and continue for such a distance as the Officer-in-Charge of the parade may have ordered before marching off.
- b. The Firing Party or leading detachment will receive the command “QUICK MARCH” the remainder conforming when the band or drums cease playing.
- c. When at the convenient distance from the cemetery the Officer- in- Charge of the parade will give the command “SLOW MARCH” and the drums will again begin playing.

### **PROCEDURE FOR SERVICE IN CHURCH**

- 9044. a. If there is a church service prior to that at the graveside the coffin will be conveyed into the church by the Bearers in the similar manner as to the graveside.

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- b. The Mourning Party will enter the church removing headdress. But the Firing Party will remain outside.
- c. After the church service the Mourning Party will fall in and the procession will move off as ordered by the Officer-in-Charge of the parade.

### **PROCEDURE ON ARRIVAL AT THE PLACE OF INTERMENT**

9045. a. When the head of the procession arrives near the ground where it is to meet the Chaplain/officiating Minister, and before the Officer-in-Charge of the parade gives the command “HALT”, the ranks of the Firing Party at the head of the procession and the band and drums will open out to six paces distance and will halt at the command of the Officer-in-charge of the parade.
- b. The order “INWARDS TURN”, “REST ON YOUR ARMS REVERSED” will be given by the Senior NCO in charge of the Firing Party.
  - c. The coffin will be moved by the Bearers and carried feet opening of the grave.
  - d. The order of procession will now be
    - (1) Chaplain/Officiating Minister
    - (2) Coffin with bearers
    - (3) Mourners
    - (4) Bands and Drums
    - (5) The Firing Party

### **PROCEDURE DURING THE SERVICE**

9046. a. During the service at the graveside the head-dress of those attending in uniform will not be removed except the bearers when actually carrying the coffin.

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- b. As soon as the chief mourners are in position and the Chaplain/Officiating Minister is ready to begin the burial service, the Provost Marshall will remove:
  - (1) Flag
  - (2) Head dress
  - (3) Side arms
  - (4) Wreaths and other floral tribute from the coffin
- c. The Bearers will then raised the coffin and lower it into the grave.
- d. Once the coffin has been lowered, the bearers will move from the graveside and replace their head dress.

### **PROCEDURE AFTER SERVICE**

9047. a. At the conclusion of the service, if volleys are to be fired the Senior NCO in charge of the Firing Party will give the following orders:
- (1) Firing Party, Present Arms
  - (2) Shoulder Arms
  - (3) Firing Party, volleys with blank cartridges, Load, Present.
  - (4) Fire, (Two more volleys will be similarly fired)
  - (5) Unload
  - (6) Order Arms
  - (7) Shoulder Arms
  - (8) Present Arms
- b. The buglers will then sound the last Post – a short interval – then the Reveille.
  - c. During the sounding of these calls troops will stand at attention, officers will remain at the salute during the Last Post and Reveille.
  - d. The Firing Party will present arms during the Last Post and Reveille.

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- e. The Firing Party will shoulder arms, (The command being given immediately after the sounding of the Reveille has ceased).
- f. As soon as the procedure after service has been completed. Officers will go in front of the grave by order of seniority, salute and leave the cemetery.

### **PROCEDURE FOR DISPERSAL**

- 9048.
- a. At the end of the Funeral Service ten \* bands and drums will be formed up and ready for moving off.
  - b. The Officer-in-Charge of the parade will now give the command “FORM THREE RANKS, BY THE RIGHT – QUICK MARCH”.
  - c. The band and drums will lead, followed by the Firing Party and military mourners.
  - d. The band will not play, nor will the drums, until the parade is entirely clear of the cemetery.

### **GENERAL INSTRUCTIONS (FUNERALS OF SENIOR OFFICERS)**

- 9049.
- a. At funerals of Senior Officers the arrangements will be made under the supervision of the Staff Officer 1, Administration, Defence Headquarters.
  - b. At those funerals there will be bearers and pall bearers. The bearers will march on either side of, and next to the Military Hearse. The pall bearers will march immediately on either side of the Military Hearse and the bearers on the outer flank at two paces interval.
  - c. After burial signals will be sent to units ordering that flags be flown at full-mast which denotes the end of the military mourning.

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- d. The Position of Pall Bearers will be in order of seniority alternately on either side of the Military Hearse, the senior being in the rear on the right hand side, the next senior in the rear on the left hand side.

### **DRESS FOR MILITARY FUNERALS**

9050. The dress at military funerals will be either:

- a. No 1 Order (Ceremonial Dress)
- b. No 4 (Drill Order, less weapons)
- c. In which events these instructions will be made after consultation with the Staff Officer One, Administration, Defence Headquarters and the funerals order written accordingly. The undermentioned will be as follows:

- |     |                 |   |  |
|-----|-----------------|---|--|
| (1) | Firing Party    | - | Stable belt, scarlet beret , scarlet lanyard, boots and black arm bands.       |
| (2) | Mourners Party  | - | Working order and black arm bands.   |
| (3) | Bearer Party    | - | No 1 Dress (unless otherwise ordered) and black arm bands.                     |
| (4) | Military Police | - | OGs, white belts, helmets, boots and black arm bands.                          |
| (5) | Corps of drums  | - | OGs, white belts, scarlet berets, scarlet lanyards, boots and black arm bands. |

### **PREPARATION OF CORPSE**

9051. Commanding Officer, Five (5) Service Support Battalion, is to hand over to the Provost Marshall a No 1 Dress which is to be laundered. This will be uplifted and handed over to the Funeral Parlour for dressing of the corpse.

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### **SECURITY**

9052. a. Officers-in-Charge, Funeral Party is to request soldiers from the unit to which the deceased was attached and appoint them as escorts in each vehicle attending the funerals.
- b. Each escort is to be in possession of a personal weapon, and a magazine of ten rounds: the weapons should be at stage one (1).
- c. Each escort is to be briefed on orders for opening fire.

### **SAFETY OF ARMS AND AMMUNITION OUTSIDE OF GEORGETOWN**

9053. a. Each soldier who has been authorised to travel with a weapon will be responsible for same, except during the silent hours when they are accommodated for the night.
- b. In this event, the Officer-in-Charge will detail a senior NCO who will provide security, chain with padlock, sentry and weapons diary,
- c. Only soldiers detailed by the Senior NCO will be in possession of ammunition during the silent hours.

### **ACQUISITION OF WREATHS**

9054. a. Welfare Department is to arrange for the purchase of wreaths.
- b. These wreaths are to be on behalf of
- (1) Chief of Staff, Officers and Other Ranks
- (2) Commanding Officer/Officer Commanding and Other Ranks of the Unit to which the deceased soldier was attached.
- c. The wreaths are to be carried in the Chaplain's vehicle

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### **SERVICE SUPPORT**

9055. For funerals outside of Georgetown, Welfare Department is to

- a. Make arrangements with the Traffic Officer, Transport and Harbour Department for the crossing of vehicles on the ferry at Parika or Rosignol.
- b. Inform the Officer-in-Charge of the police Station in the District about the funeral two days before burial, so that the necessary traffic arrangements for crowd control could be made.
- c. The Provost Marshall is to arrange barriers at the grave side which would assist with crowd control. Military Police in attendance at the funeral are to give all possible assistance in controlling the crowd.

### **SERVICE AND RITES**

9056. a. Service will be held as arrange by the next of kin after consultation with the Chaplin.
- b. If the soldier is a member of a lodge, the brethren of the lodge are to be given all possible assistance to carry on their service, but the final rites will be done by the GDF chaplain.

### **PUBLIC REGULATIONS**

9057. The G5 Branch is required to provide full coverage accordingly.

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### **MESSING AND CATERING**

9058. a. If a funeral is in Georgetown, the Welfare Department is to liaise with the Base Commander BC (A) for late supper for soldiers attending the funeral.
- b. For funerals outside of Georgetown with troops returning the same day, BC (A) is to provide pack ration for soldiers attending, as well as support on their return.
- c. For funerals at Essequibo and other outlying areas, the following is to be done:
- (1) Base Comd BC (A) is to provide early breakfast for soldiers attending the funerals.
  - (2) Arrange pack ration for soldiers travelling to the funeral.
  - (3) Provide a cook to travel with a reconnaissance party to prepare meals for the soldiers.
  - (4) Welfare Department is to provide the strength of soldiers to the Base, who will arrange for the issue of the required amount of ration and utensils for the day.

### **COMMUNICATION**

9059. Officer Commanding, Signal Department is required to provide a signaler and radio to maintain adequate communication link between the convoy, parade and DHQ/ 1 Inf Bn

### **MEDICAL**

9060. Officer Commanding, Medical Corps is required to provide one (1) Medical Orderly with a medical satchel.

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**BUILDING OF TOMB**

9061. a. The GDF is to provide a tomb for the interment of every officer and soldier being given full military rites.
- b. Welfare Department is to liaise with Commanding Officer, Engineer Battalion for the construction of the tomb. Masons are to be made available to construct the tomb which must be completed one day before the burial.

**FUNERALS FOR CIVILIAN WORKERS**

9062. a. Civilian worker who die whilst employed by the GDF will not be given a military funeral.
- b. The unit to which the civilian was attached is to arrange for at least one (1) officer and ten (10) ORs to attend the funeral.
- c. A wreath must be purchased and taken to the funeral on behalf of the Commanding Officer/Officer Commanding and Ordinary Ranks from the unit where the civilian was attached.

**BENEFITS**

9063. a. The GDF shall pay to the employee's legal personal representative all benefits that the employee was entitled to at the time, such as annual leave, severance pay and other Benefits.
- b. Severance pay shall be based on the formulae as the redundancy clause made out in the Memorandum of Agreement between the GDF and The GLU in relation to civilian employees.

**PART 5 - WILLS**

**WILLS**

9064. a. **Methods of Compiling a Will.** The recommended methods of making a will which are available to Force personnel may be summarised as follows:
- (1) By drawing up a will on expert advice;
  - (2) By using one of the standard commercial printed forms which can be purchased;
  - (3) By writing a simple will on a sheet of paper; or
  - (4) By using the GDF form of will, as set out at ***Annex I*** to this Chapter.
- b. **Applicability of Laws.** The laws which apply to the making of wills by civilians apply to the making of wills by members of the Guyana Defence Force. Persons under the age of 18 years cannot make a valid will under the law.
- c. **Commanding Officer's Responsibilities.** Commanding Officers are to ensure that all personnel eligible to make a will do so. Personnel making a will should be advised that if for any reason they afterwards wish to change the distribution of their estate they should make a fresh will. In addition Commanding Officers are to remind personnel that it may be desirable to make a will (or fresh will) on any alteration of marital status or change of next of kin and that it is desirable to make a will before proceeding overseas. They should point out that if no will is made the estate (including money, balance of pay and personal belongings) must be distributed in the event of death according to the laws of the country governing intestate estates, which may result in the estate having to be distributed in a way which the deceased would not have wished, and that the nomination of a next of kin does not take the place of a will.
- d. **GDF Form of Will.** A GDF form of will (***Annex A to this Chapter***) may be obtained from any unit or sub unit orderly room. Personnel may make their own arrangements for drawing up a will if they prefer to do so.

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e. **Completed Wills.** Completed wills should not be kept with personal belongings, but should be placed in safe custody. Ranks should have a copy of their will placed in a sealed envelope and kept with their military records. Alternatively, a Rank can make his own arrangements for safe custody of his will.

f. **Instructions on the Execution of a Will**

- (1) Firstly, you must have at least two (2) independent witnesses (they must not be anyone named in your will as a beneficiary nor the spouse of any such person) to attest to your signing your will. If anyone is named as a beneficiary in your will, then any devise or bequest (gift) to that person will be void;
- (3) Secondly, the two (2) witnesses must be there with you when you sign the will and actually see you sign it;
- (3) Having witnessed your signing of the will, you should all remain together while the two (2) witnesses add their names, signatures, addresses and occupation to the will. You must sign your will before your witnesses add their names, signatures, addresses and occupation. Your witnesses need not know the contents of your will;
- (4) As you may realise, the GDF form of will has been printed on a number of sheets of paper which have been fasten together. For this reason, and to prevent any substitution of the pages, you must initial the individual sheets (except the last sheet on which you sign) at the bottom right hand corner, to show that all the sheets were together when you signed the will. Your witnesses should also put their respective initials on each of the said pages below yours.

**PART 6 - DISPOSAL OF PAY AND EFFECTS OF DECEASED RANKS**

**COLLECTION AND INVENTORY OF EFFECTS – IN GUYANA**

9065. a. **Immediate Action.** Immediately on the death of a Rank, the Commanding Officer is to cause all the clothes and other effects of the deceased to be collected by a responsible person and delivered to the S4 (Finance and Logistics) of the unit. Where no is no S4 (Finance and Logistics) the Commanding Officer is to cause an inventory to be taken, as described below, and to forward it, with the effects, to the SO1 G4 (Logistics).
- b. **Effects not on GDF Property.** No action is required in relation to personal effects belonging to the deceased which are not on GDF property. These are to be regarded as being in the custody of the widow, widower or next of kin.
- c. **Inventory Action.** The SO1 G4 (Logistics) concerned is to at once prepare an inventory in quintuplicate of all the effects and valuables. All items are to be clearly enumerated and the amount taken on charge shown separately for each.
- d. **Inventory Details.** The following directions are to be observed in preparing the inventory of effects:
- (1) **Inventory.** The inventory is to record all effects, including Force and personal effects. Force effects remain GDF property and are to be collected and brought on charge as stock in the appropriate store account.
  - (2) **Form Endorsement.** For a deceased officer the inventory is to be signed by at least two officers of his unit. Should there be no effects, these persons are to give a certificate to that effect.
  - (3) **Force Effects.** Any official documents, loan clothing, flying clothing, military stores (e.g., binoculars, watches, etc) found with the effects should be recorded, removed and taken on charge.

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- (4) **Firearm and Ammunition.** If any firearm or ammunition are found amongst the effects, those which can clearly be identified as Force property are to be returned to store.
- (5) **Wills or Testamentary Documents.** The persons preparing the inventory are to take particular care to ascertain whether there is any will or document of a testamentary nature amongst the effects and are to state on the inventory whether or not any such document has been found. If any such document is found, it is to be forwarded at once to the unit headquarters.
- (6) **Private Books and Papers.** Private books and private papers, such as cheque books, bank books, savings certificates, uncashed cheques, etc., and private articles of value such as watches, binoculars, cameras, cigarette cases, jewellery, etc., are to be shown on the appropriate GDF certificate. This list should include the serial number and amounts of any savings certificates, insurance policies, bank books and uncashed cheques, for the latter stating the name and address of the bank and the name of the drawer of each cheque. Any documents (including private letters) of a compromising nature, or likely to cause distress to the relatives of the deceased, should be separated from the other effects and forwarded to the unit headquarters who will decide on their disposal. A passport, if found, should be sent without delay and by safe means to the unit headquarters, and not shown in the inventory. Such passports should be returned to the Passport Office, unless required for any subsequent legal or other proceedings.
- e. **Forwarding Action.** The original of the inventory is to be forwarded to the Defence Headquarters as a part of the record of the AQ Branch.

**DISPOSAL OF PERSONAL EFFECTS**

9066. All personal effects i.e. effects which are not the property of the Force, are to be retained by the deceased's unit until advised by the Headquarters that such effects may be handed over to the next of kin.

**CUSTODY, PACKING AND SHIPMENT OF EFFECTS**

9067. a. All effects of Ranks wherever death occurs are, pending the Headquarters instructions as to their final disposal, to be disposed of as follows:

(1) **Ranks Serving Abroad:**

- (a) When the next of kin is resident in Guyana the personal effects are to be forwarded to the unit of the deceased.
- (b) The unit will be responsible for handing over the personal effects to the next of kin once authorized by the Headquarters to do so.
- (c) When the next of kin's permanent place of residence is not Guyana and disposal instructions have been given, the unit is to retain the personal effects until the next of kin is able to have them collected.

(2) **Ranks Serving at Home.** Once authorised by the Headquarters, the unit of the deceased is to hand over the personal effects to the next of kin.

b. **Effects Held Abroad.** When effects held abroad are ready for dispatch to Guyana, they are to be handed over by the Guyana Defence Force representative abroad, to a designated shipping agent, supply and receipt notes being exchanged. The relevant Customs form, in duplicate, should be completed. A report is to be made to the Headquarters, stating:

- (1) Service number, rank and name of the deceased;
- (2) The shipping agent or other authority to whom the effects have been

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transferred for shipment, and the date handed over; and

(3) Numbers and markings of the packages.

c. **Security of Packaging - General.** Persons mustering effects are personally to supervise the packing and to satisfy themselves of the security of the packages, bearing in mind that these may be transhipped several times before reaching their destination. At each stage the authority handing over the effects should ensure that an unqualified receipt is obtained to show that the cases are externally sound and bear no signs of having been tampered with.

d. **Security of Packaging - Detail Procedure.** In order to lessen the risk of pilferage, parcels, attaché cases, suitcases and kitbags are to be securely tied and/or locked and also sealed. The Regimental number, rank and name, of the late owner, together with the particulars of his fate, e.g., 'Deceased', are to be marked clearly on each package, which should also bear the appropriate address. As far as possible, new cases, or at least sound cases with new lids, should be used since the existence of old nail holes makes the detection of tampering more difficult. The cases should also be securely wire-banded. Several packages may be included in one case but the effects of one person should be kept together. Abroad, it will probably be more convenient for casing to be done by the shipping agents to whom the effects are handed for shipment, but where packages are cased before handing over, the agents should be informed of the nature of the contents, with particulars of what trunks, parcels, etc., are contained in each case, as well as the name, etc., of the late owner.

e. **Valuable Private Documents.** Special care is to be taken with private papers of value. In no circumstances are such articles to be dispatched with articles of clothing, etc. They are to be packed separately and sent by registered post if practicable, or boxed and sent by cabin freight or such other means as would ensure a reasonable security against pilferage. When a fairly large quantity of valuables is involved they should normally be packed in wooden cases, nailed down, battened and wire-banded. A stout attaché case or

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suitcase may be used for valuables sent by registered post, provided that it can be securely locked and sealed, but several packages of valuables dispatched to the same consignee should always be sent in a wooden box, nailed down, battened and wire banded. On no account are effects to be sent in unlocked suitcases or attaché cases unless they are contained in secure outer boxes.

f. **Dispatch Advice.** A separate communication, advising the dispatch of effects or valuables, is to be sent to the consignee, enclosing the quadruplicate copy of the inventory, and requesting the consignee to acknowledge receipt of the consignment. If a receipt does not come to hand within a reasonable time, enquiry is to be made of the consignee. This communication is to be accompanied by the keys of locked receptacles sent by registered post, etc., but if shipment is involved the keys should be handed to the shipping agents with the appropriate customs declaration forms.

g. **Official Consignment of Effects.** Following the normal practice with regard to private effects, the shipping agents at the loading port should furnish particulars of shipment to the Headquarters accompanied by customs declaration forms and keys. If this is likely to reach Guyana later than the vessel, preliminary notification should be given. The attention of the customs authorities should be called to the fact that the cases contain sealed packages of effects of deceased persons from abroad. If the customs insist on cases being opened, this should be done in the presence of an officer or warrant officer, who should at the same time verify the contents from the inventory enclosed. If items are removed and detained this should be noted on the inventory and the cases re-sealed and a full report of the circumstances is to be forwarded to the Headquarters.

### **RELEASE OR DISPOSAL OF EFFECTS**

9068. a. **Headquarters Authority.** None of the personal effects of a deceased Rank is on any account to be handed over or sent to any person until specific authority for such

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action is received from the Headquarters. No payment is ever to be made locally, without specific approval of the Headquarters, in respect of any debt owing by the deceased or due from his estate. Such debts are entirely a matter for the person entitled to the estate, with whom the Headquarters will communicate as necessary.

b. **Commanding Officer's Responsibility - Security.** Before any diaries, books or photographs of Force interest which may be found in the effects, are dispatched to the person entitled, the Commanding Officer is to ensure that they contain no information contrary to security regulations. In case of doubt Defence Headquarters should be consulted.

c. **Action following the Headquarters Authority to Release.** When instructions for the release of effects are given, a comprehensive list of inventory, in triplicate, is to be prepared and it is to be signed by the officer responsible for the handover and the recipient of the items, and their signatures witnessed by an officer. Only those items actually handed over are to be listed. The list is to be disposed of as follows:

- (1) The original to be filed on the deceased's Record of Service file;
- (2) One copy to the recipient of the items; and
- (3) The other copy to the relevant unit file.

d. **Private Firearms.** Private firearms cannot be released until the necessary firearms certificate has been produced by the person entitled, who is to be given the necessary particulars (e.g., maker's name, number, bore) to enable the certificate to be obtained if possession of the weapon is desired. Otherwise, the firearm is to be handed over to the civil police and the certificate of detention given to the person entitled.

## **PERSONAL PROPERTY OF RANK SERVING OVERSEAS**

9069. a. **Single Personnel - Effects Stored at the Central Depository.** A single Rank

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who has no suitable place in Guyana to which personal property could be sent, or because of the extreme urgency of his appointment overseas, is unable to make adequate arrangements, may have it stored at the Five Service Support Battalion.

b. In the event of death overseas in such cases, should evidence come to light that the deceased had personal property or baggage stored at the GDF main bond, the Commanding Officer is to notify the Headquarters, enclosing a copy of the receipt, if possible, in order that appropriate action may be taken regarding the disposal of property stored in the depository at the time of death.

c. 5 SSB will dispose of private effects as instructed by the Headquarters.

### **PERSONNEL OF COMMONWEALTH OR FOREIGN FORCES**

9070. If the deceased is a member of a Commonwealth or foreign Force, the foregoing instructions are to be modified to the extent that the Headquarters will forward the inventory to the appropriate Commonwealth or foreign authority with a request of disposal instructions. The effects are to be retained until the wishes of the Commonwealth or foreign authority are known, but if any will or document of testamentary nature is found, it is to sent with the original inventory and a certified copy retained.

### **SOLDIERS INVALIDED FOR INSANITY**

9071. The personal effects of soldiers invalided for insanity are to be handed over to the next of kin on documentation.

### **EFFECTS OF MISSING PERSONS AND PRISONERS OF WAR**

9072. a. In this instruction the term “missing person” means a Rank who is officially

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declared missing in circumstances which do not justify presumption of his death or absence without leave. The personal effects of persons declared missing or as prisoners of war are to be dealt with in the same way as those of deceased personnel, except that;

- b. The personal effects of a missing person will not be released to his next of kin until he is presumed (normally by a coroner) dead.

**PART 7 - DEATH BENEFITS**

**DOCUMENTATION AND ACTION**

9073. When a member of the Guyana Defence Force dies, the following action will be taken:

a. **By the unit on whose strength the deceased is held:**

- (1) Convene a board of inquiry into the circumstances of his death and forward the record or the proceedings to the Headquarters. The report should include:

- (a) Where the Rank died as a consequence of an injury – whether he was actually performing a duty and whether he was culpably negligent;
- (b) Where a Rank died of a natural cause – whether his death was consequent on the nature of his duty and whether he was culpably negligent; and

b. **By the Defence Headquarters, Guyana Defence Force**

- (1) Notify the Office of the President of the death;
- (2) Notify the Office of the President through the Defence Board for death benefits, of the death;
- (3) May forward a copy of the record of proceedings of the board of inquiry to the Office of the President;

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(4) Forward the documents mentioned at para 9073 to the Office of the President for death benefits as follows:

- (a) Death Certificate or order for burial;
- (b) The deceased's birth certificate or, in the absence of a birth certificate, a statutory declaration of the date of birth of the deceased executed by an older relative (the relationship of the relative must be noted on the declaration);
- (c) Birth certificates or statutory declaration (as above) of all children of the deceased (if any); and
- (d) Marriage certificate (if the deceased was married).

c. **By the General Personnel Department.** The Officer in Charge General Personnel Department is to send the record of service of the deceased and details of his pensionable emoluments to the Office of the President, through the SO1 G1.

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**PERSONNEL POLICY**  
**CHAPTER 10**  
**PERSONNEL WELFARE**

**INTRODUCTION**

10001. Good man management is an essential aid to successful command. Ranks are the most valuable resources of the Guyana Defence Force. Regardless of which unit a Rank belongs to it is the duty of all superior officers, warrant officers and non commissioned officers to ensure that his skills and talents are fully utilised and that proper care is taken of the rank. Welfare in the Guyana Defence Force is broken down into two categories:

**a. Individual Welfare**

(1) The individual welfare of soldiers is at all times the responsibility of unit Commanders/Department Heads. Young officers/soldiers especially those serving away from their home environment may from time to time need help and advice in terms of personal and domestic problems which they are unable to resolve unaided. Measures are to be put in place at unit level to maintain and improve the personal well-being of all officers and soldiers.

(2) Other welfare matters such as legal advice, marriage guidance and health-related issues which cannot be dealt with at Unit level may be referred to the Legal Services Department, Welfare Department or Medical Corps.

**b. Collective Welfare.** Facilities such as clubs, canteens, living quarters, sporting activities and other forms of entertainment and spiritual welfare shall be provided for the benefit of all members of the GDF at Unit as well as Force level.

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## **GENERAL PRINCIPLES**

10002. Welfare is a function of leadership and command.

10003. The aim of all welfare in the Guyana Defence Force is to enhance the well-being of Ranks and their families.

10004. Welfare in the Force is to be directed by the following fundamental principles:

- a. Commanding Officers are responsible for the welfare of Ranks under their command and their families; and
- b. Ranks and their families are entitled to the benefits provided by the State for citizens of Guyana.

## **ATTITUDE TO INDIVIDUAL WELFARE**

10005. The individual welfare of the soldier is at all times the responsibility of unit officers and NCOs, especially those serving far away from home. Many of our soldiers are young and several of them, and their wives etc, are immature. They may face personal and domestic problems which they are unable to resolve unaided.

10006. The system of providing for individual welfare will fail unless it is properly organised within the unit and a common system is followed throughout the Defence Force. Only in this way will soldiers feel confident that their problems will be effectively and competently tackled in a reasonable and sympathetic way wherever they maybe serving. With confidence based on understanding of the system they will be more likely to raise problems before they get out of hand or cause illegal absence, unsatisfactory behaviour or decreased efficiency. The onus is,

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therefore, on unit commanders to ensure that young officers, NCOs and soldiers are fully aware of the Defence Force's attitude towards welfare and the system in place to help our soldiers.

### **WELFARE ORGANISATION**

10007. Welfare policy in the Guyana Defence Force is formulated by and executed through Defence Headquarters. In this regard Defence Headquarters is responsible for:

- a. Conditions of service;
- b. Pay and allowances;
- c. Accommodation policy for single and married Ranks;
- d. Welfare for single and married Ranks and their families;
- e. The monitoring of casualties;
- f. Ex-ranks' welfare as provided for by the Veterans' Department;
- g. Welfare entertainment;
- h. Liaison with civilian welfare organisations; and

10008. Commanding Officers and Officers Commanding are primarily responsible for fostering the welfare of the Ranks in their units and sub units respectively. They are to implement the provisions of the Headquarters welfare policy and see to the overall administration of welfare within their command. Welfare administration is not just to focus on the giving of advice, but should include assistance with any or all of the following:

- a. Leave in urgent cases;
- b. Correspondence on the Rank's behalf;
- c. Arrangements for interviews with the Commanding Officer and/or Chief of Staff;
- d. Funeral assistance;
- e. Counselling on general, family, social and health matters;
- f. Referral to the Force Chaplain, Force Medical Officer, or Force Legal Officer;

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- g. Arranging for professional counselling;
- h. Referring matters to the welfare council; and
- j. Keeping Ranks informed about welfare opportunities (eg housing allocations and mortgage facilities etc) especially if these are external to the Guyana Defence Force.

10009. Where superiors have determined that they cannot adequately handle a particular welfare matter they are to refer the matter to a higher authority. Ultimately, the Force Chaplain will be consulted and if necessary professional counselling will be made available.

10010. Welfare meetings are to be held for the benefit of all soldiers under command as follows:

- a. Units - by the Commanding Officers: at least quarterly;
- b. Sub Units - by Officers Commanding: monthly; and
- c. Platoons etc - by designated officers: monthly.

10011. The minutes of unit and sub unit welfare meetings are to be recorded and passed through Commanding Officers to the Headquarters for action and information as necessary.

10012. The opportunity is to be taken at welfare meetings to explain and clarify any matter, suggestion or complaint which Ranks may raise. Where the officer conducting the meeting is not able to answer a question or deal with any matter raised, he is to have it referred to higher authority and an answer given to the person who raised it as soon as possible afterwards. Thereafter, the unit/sub unit, etc should be informed of the answer at the next welfare meeting.

10013. All Ranks are to be encouraged to take an active, objective and constructive interest in welfare meetings for their own benefit.

10014. Officers, warrant officers and non commissioned officers are to be particularly vigilant

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for indications of possible welfare problems amongst their peers and subordinates, and are, particularly if requested, to make themselves available to listen to and advise personnel experiencing welfare problems. Personnel who have welfare problems or complaints to make are not to be turned away; a proper assessment of the problem is to be done and, if it is not possible to effectively deal with the problem, consultation with, or referral to, an appropriate authority is to be undertaken.

10015. The Force Chaplain has a particularly important welfare role as the Force Welfare Officer. His advice may be sought by unit commanders dealing with welfare cases wherein the matter does not necessarily need to be referred to him.

10016. The Force Medical Officer also has an important role in welfare administration and unit commanders may consult with him regarding welfare cases which do not necessarily need to be referred to him.

10017. Where superiors have determined that they cannot adequately handle a particular welfare matter they are to refer the matter to a higher authority. Ultimately, the Force Chaplain will be consulted and if necessary professional counselling will be made available.

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10022. Officers, warrant officers and non commissioned officers are to be particularly vigilant for indications of possible welfare problems amongst their peers and subordinates, and are, particularly if requested, to make themselves available to listen to and advise personnel experiencing welfare problems. Personnel who have welfare problems or complaints to make are not to be turned away; a proper assessment of the problem is to be done and, if it is not possible to effectively deal with the problem, consultation with, or referral to, an appropriate authority is to be undertaken.

10023. The Force Welfare Officer has particularly important welfare role. His/her advice may be sought by unit commanders dealing with welfare cases wherein the matter does not necessarily need to be referred to him.

10024. The Force Medical Officer also has an important role in welfare administration and unit commanders may consult with him regarding welfare cases which do not necessarily need to be referred to him.

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**WELFARE FUND**

10025. a. **Purposes of the Fund.** The main purposes of the GDF Welfare Fund are as follows:

- (1) To provide direct financial assistance (usually in the form of loans or grants) and other assistance to serving and past members of the GDF in meeting special cases of hardship being experienced by any such member.
- (2) To finance the staging of activities designed to enhance the morale of serving members and their families and include activities such as the GDF Children's Christmas Party, the GDF Summer Camp and the annual Christmas Lunch held at various bases across the Force.

b. **Contributions.** Monies for the fund are derived from the annual contribution of one day's pay from each serving member.

10026. The status of the Fund will be published on a quarterly basis.

10027. The Welfare Fund is to be administered by the Welfare Committee which is to be composed of the Colonel General Staff, Colonel Administration and Quartering and the Chief of Staff who will be the Chairman.

10028. A member of the Force can benefit through a grant from the Welfare Fund, especially in circumstances where the rank is experiencing extreme hardships caused, for example, by a fire. However, the rank's commanding officer must make the necessary representation to the Committee for such assistance to be rendered.

## **WELFARE AND MAINTENANCE OF PARENTS**

10029. Ranks are to be reminded that under section 10 of the Maintenance Act, 2005, every person who is not a minor has an obligation, to the extent that the person is capable of doing so, to maintain the person's parents and grandparents who are in need of such maintenance by reason of age, physical or mental infirmity or disability. The obligation of a person to support his grandparent only arises in the event of the failure of the grandparent's children to do so owing to death, physical or mental infirmity or disability.

## **SOURCES OF ASSISTANCE AT UNIT LEVEL**

10030. The Guyana Defence Force has a Welfare Department, adequately equipped to deal with welfare related problems. The department's reach has been extended through the deployment of Welfare Officers to some of the major bases housing members of the GDF. However, this does not take away the responsibility of units to address some of the welfare issues affecting their soldiers. Some of these issues can be addressed by:

- a. Unit Personnel Office (S1) – represented at the major units and address welfare matters on behalf of the commanding officer with family members or at meetings organised by Higher Headquarters.
- b. Unit Paymaster- may be able to advise of financial matters.
- c. Chaplin (During visits) – provides spiritual and moral guidance but should work in conjunction with the soldier and his commander.
- d. VCT sites - staffed with HIV counselors who are equipped to provide counsel on HIV and related issues
- e. Force Publications - information disseminated by DHQ to units across the Force.

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### **MARRIAGE**

10031. Although the Force recognises marriage at any age, marriage of military personnel during the first two (2) years of service is not normally encouraged. However, there must be flexibility based on special conditions for the recruitment of “mature” persons into senior ranks either as officers or other ranks who are already married.

10032. All Officers entering into marriage must formally seek the approval of the Chief of Staff, and in the case of other ranks, their Commanding Officers, before they are permitted to marry.

10033. Persons breaking this rule would be considered as:

- a. Ineligible for the receipt of appropriate allowances.
- b. In breach of their contract of service, or
- c. Having committed an offence.

### **PART 2 – CASUALTIES**

#### **GENERAL**

10034. a. Serious casualties (i.e. cases involving death, serious injury or wounding, very serious or serious illness or where Ranks are missing) are to be reported at the earliest possible moment to the unit headquarters of the Ranks concerned and subsequently to the Headquarters; and
- b. Depending on the number of casualties the Headquarters may assume responsibility for compiling the casualty and next of kin list from all available sources, dealing with enquires from anxious relatives and friends and informing the media on the casualty details.

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**REPORTS TO THE HEADQUARTERS GUYANA DEFENCE FORCE**

10035. Reports are to be made to the Headquarters as follows:

a. **Orally to:**

- (1) The Chief of Staff;
- (2) The Colonel General Staff;
- (3) The Colonel Administration and Quartering; and
- (4) The SO1 G1 (Personnel and Administration).

b. **By Signal.** Signal messages are to give the following details of the casualties and, in cases of death, are to be copied to the Military Records Section and the GDF Pay Office and, where officers are involved, to the GDF Pay and Records Office:

- (1) Service number, rank and name;
- (2) Parent unit;
- (3) Religious denomination;
- (4) Date on which the incident occurred. Whether dead, missing, very seriously ill or seriously ill, briefly the cause and nature of the injury sustained or illness. Details of hospitalisation should be given where applicable;
- (5) Next of kin, full name and address, relationship and whether he or she has been informed. Additional nominee where appropriate;
- (6) Reports that a Rank abroad has been placed on the very seriously ill or seriously ill list should state, for welfare purpose, whether a visit by the next of kin is recommended;
- (7) In the case of death otherwise from disease or injury, it is to be indicated whether the casualty was actually performing a military duty. When death is due to disease the particulars of the cause are to be stated;
- (8) In the case of death, whether the civil police has been notified;
- (9) Whether a board of inquiry or unit investigation will be held; and

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- (10) The plans for making follow-up visits to the next of kin.

**NOTIFICATION OF NEXT OF KIN OF SERIOUS ILLNESS OR INJURY**

10040. a. The Commanding Officer is normally responsible for notifying the next of kin of force personnel in cases of serious illness or injury.
- b. If the report made in accordance with *para 10038* indicates that the next of kin has not been informed, the Commanding Officer is responsible for informing the next of kin as soon as possible. Should a patient indicate that the next of kin is not to be informed and that this will be done personally in due course, this wish is to be respected and is to be mentioned in the signal, but the Commanding Officer is to exercise his discretion in the interest of the next of kin.
- c. The notification to the next of kin should give the address to which communications for patient may be sent and such information as the next of kin is likely to desire, including nature of illness or cause of injury unless good reasons exist for withholding this information. Further reports should be sent to the next of kin immediately upon any change in the condition of the patient for better or worse.
- d. In very seriously ill cases, the first progress report should be made after 24 hours with subsequent reports every 48 hours whilst the Rank is so enlisted. In seriously ill cases the first progress report should be made after 3 days, with subsequent reports every 7 days while the Rank is so enlisted. All progress report are to be copied to the Force Welfare Officer.

**PATIENTS UNABLE TO COMMUNICATE WITH RELATIVES**

10041. Where a Rank has been admitted to hospital for mental or other disease which renders

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him incapable of communicating with his relatives, a report containing brief information of his condition and, whenever possible, a prognosis and probable disposal, in to be made to the Defence Headquarters, through the FWO, by his Commanding Officer in conjunction with the Force Medical Officer, so that Defence Headquarters can decide, among other things, which of the welfare authorities should inform the next of kin.

**REPORTS OF SICKNESS OR INJURY – FOREIGN AND COMMONWEALTH FORCES PERSONNEL**

10042. a. It is important that foreign and Commonwealth governments should be informed of all cases of sickness or injury to the personnel of their Forces who are attached to the Guyana Defence Force on exchange or for training purposes. The Commanding Officer of the unit to which the officer or soldier is attached is to report to the Headquarters immediately when any foreign or Commonwealth officer or soldier is admitted to hospital or suffers an injury which may seriously interfere with his duties or training.
- b. The report is to be made orally and then by signal.
- c. The Headquarters will be responsible for informing the relevant Embassy, High Commissioner or Force.

**RESPONSIBLE REPORTING OFFICERS**

10043. a. **General.** Except where otherwise indicated, the reports and notifications required by the foregoing instructions are to be made by the Commanding Officer.
- b. **Sub Units.** Where the initial report was made to the Rank's sub unit, the particulars are to be reported at once to the Commanding Officer of the parent unit who will take the necessary action.
- c. **Personnel Sick in Quarters.** For ranks under treatment in quarters, the reports required are to be made by the Force Medical Officer through the CO.

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- d. **Personnel in Military or Civil Hospital.** For Ranks under treatment at a medical centre, the reports are to be made as per sub para c above.
- e. **Patients Left Abroad.** When a patient is left abroad, notification with full particulars of the patient and of his next of kin is to be made to the consular officer in the area who will be requested to forward any necessary further reports to the Headquarters.

### **PART 2 – MAJOR DISASTERS**

#### **GENERAL**

10044. The responsibility for collation and dissemination of information on casualties, during the occurrence of a major disaster, will rest with the Civil Defence Commission – this applies to any incident involving Ranks whether it occurs within or outside a military installation.

#### **CASUALTY ORGANISATION**

10045. a. When Defence Headquarters has been notified by the civil authority that Guyana Defence Force casualties are involved, action will be taken in accordance with part 1 of this chapter;
- b. Control of casualty reporting will rest with the civil authority but, subject to liaison by Defence Headquarters, notification to the next of kin will normally be done by the Guyana Defence Force authorities, provided no delay will be incurred as a consequence. If a delay would result, the Headquarters should ask the civil authority to inform the next of kin and to inform the Headquarters that it has done so;
- c. The Guyana Defence Force will offer immediate assistance to the civil authority to facilitate communications, liaison and next of kin notification; and
- d. The SO1 G5 (Civil Military Affairs) will establish contact with the civil authority media desk.

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## **PERSONNEL POLICY**

### **CHAPTER 11**

#### **GDF MILITARY ROAD TRANSPORT**

##### **GENERAL**

11001. Defence Headquarters is responsible for the management of all transport within the Guyana Defence Force. The Administration and Quartering Branch will exercise the responsibility of coordination of transport on behalf of Defence Headquarters. The AQ Branch will oversee the daily operations of transport details execution. The SO3 Move will be designated the Force Transport Officer.

##### **PRIORITISATION OF VEHICLES**

11002. The system of priority for vehicles is:

- a. Priority 1 - Operations (vehicles located with units etc);
- b. Priority 2 - Standing details;
- c. Priority 3 - Administration/Operations;
- d. Priority 4 - Force administration;
- e. Priority 5 - Unit administration; and
- f. Priority 6 - Other tasking.

##### **POOL VEHICLES**

11003. Ten percent (10%) of the establishment of operational and administrative vehicles should be earmarked as pool vehicles and held in a serviceable condition. They will only be allocated by the authority of the Headquarters.

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### **AMBULANCES**

11004. Ambulances will be allocated on a priority basis as follows:

- a. Priority 1 - GDF Medical Centre BC A/BC S;
- b. Priority 2 - GDF Air Wing;
- c. Priority 3 - GDF Coast Guard; and

11005. a. The hiring of transport for all military purposes is the responsibility of the administrative branch of the Headquarters. This includes the drafting and administration of all contracts and agreements for this service;
- b. Commanders of units for which hired transport vehicles are provided on terms of continuous hire will notify the administrative branch of the Headquarters immediately the services of any such vehicles can be dispensed with; and
- c. Any avoidable hiring charges incurred through failure to notify the Headquarters that unit vehicles are available will become the responsibility of the unit commander concerned.

### **ECONOMY**

11006. Owing to financial restrictions, rigid economy in the use of mechanical transport is of vital importance and this fact is to be continuously impressed on all users.

11007. Commanding Officers are responsible for ensuring that the use of military or hired transport is strictly confined to essential training and transport services, or such recreational and other services specifically authorised by these Instructions. Where there is doubt whether a transport requirement is permissible under these Instructions, prior reference will be made to the

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Headquarters. For transport requirements not covered by these Instructions prior application for authority must, in every case, be made to the Headquarters.

11008. The following instructions will be strictly enforced to effect the maximum economy:

- a. The use of other public services instead of military transport whenever possible;
- b. The use of military transport must be so controlled as to ensure that only essential journeys are performed. The use of large capacity vehicles to carry small loads must be avoided. There must be no duplication of transport details;
- c. All load carrying vehicles not detailed for operational work or driver training will be made available to perform the various administrative requirements as coordinated by the AQ Branch; and

### **MAINTENANCE**

11009. In addition to driver's daily checks, unit and Workshop inspections, all vehicles will be taken off the road once per week, excluding Sundays. The day chosen for a vehicle to be off the road will be stencilled, in white, on the bottom left corner of the windscreen with the first three letters of the day.

11010. Vehicles off the road will only be allowed to be used in the event of emergencies, national disasters and exercises, or with the prior authority of the respective Commanding Officer.

### **WORK TICKETS**

11011. Every driver of a military owned or hired vehicle must be in

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possession of a Transport Work Ticket, to cover the service on which the vehicle is engaged. Transport work tickets are accountable documents and must be treated accordingly.

11012. Exact details of any journey including its purpose will be shown in the appropriate column of the Transport Work Ticket. No military or hired vehicle will be driven without such documentary authority.

11013. The following persons only are authorised to sign work tickets:

- a. All officers and warrant officers class 1;
- b. Warrant officers and senior non commissioned officers acting as duty/orderly officers; and
- c. Unit MT sergeants.

### **DRIVERS LICENCES**

11014. All drivers of military owned or hired vehicles must be duly authorised by Defence Headquarters and are required to have valid civilian driving licences showing the classes of vehicles to be driven.

11015. The licences for all drivers trained by the Guyana Defence Force will be held by Defence Headquarters for a period of three (3) years. At the end of this period, drivers will be given full possession of their licences.

11016. It is a condition of employment that civilian employees of the Guyana Defence Force whose duties involve the driving of military vehicles will be in possession of a valid civilian driving licence for each type of vehicle that they are required to drive.

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### **PROCEDURE**

11017. The following procedures are to be adopted, where relevant, when GDF vehicles are involved in accidents:

- a. Injured persons are to be sent to the nearest hospital, cottage hospital, dispensary, Government Medical Officer or other medical facility as required.
- b. A report is to be made to the nearest Police Station, if there is no Police on the scene of the accident.
- c. Statements are to be taken from witnesses who are prepared to give them.
- d. Service vehicles are to be removed from the scene of the accident as soon as possible after the Police complete their initial investigations.
- e. An accident report is to be submitted by the driver to his HQ, with statements of vehicle commander and any other witnesses, within twenty-four (24) hours of the accident.
- f. Investigations are to be carried out promptly to determine blameworthiness of parties involved
- g. Where an Army driver is found responsible for an accident, his/her Commanding Officer is to make an award in respect of damages to both private and service vehicles and property.
- h. Photographs of the location of the accident and vehicles involved are to be taken where possible.
- i. Civilians vehicles are to be examined and damaged assessed to avoid possible exorbitant claims.
- j. A full report including statements, seven (7) copies of the driver, witnesses, civilian and service vehicle inspection report, estimated cost or damage, completed Public Service Accident Report form with unit/sub-unit commanders comments is to be

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submitted to DHQ within seventy-two (72) hours. It may not always be possible to obtain the Police Reports on time. These may follow later.

k. Where a Unit Board of Inquiry is being convened, the above still applies. The Board's findings may follow later.

l. Units are to ensure that drivers and witnesses co-operate with the Police, by giving statements where requested and assist in preparing them where necessary.

m. Army drivers are not to enter into any agreement or contracts with the owner or driver of any vehicle involved in any accident, without the authority of DHQ.

11018. Boards of inquiry are to be held to enquire into each accident, except the very minor ones. This is to be done at Unit level, except otherwise directed.

11019. Any inquiry or investigation convened by the unit or the Headquarters will be commenced within 48 hours of the time of accident and two copies of the full record of proceedings forwarded to the Headquarters within 7 days.

11020. When a trained driver is involved in an accident he will be retested within seven (7) days of the accident. He will be allowed to continue to drive subject to passing this test. He will also be seen by a medical officer and tested for the possible use of drugs etc. Drivers who fail this test or who refuse to undergo such tests will be taken off driving duties and dealt with in accordance with current instructions.

11021. When a driver is involved in two or more accidents within a period of twelve (12) months for which he is to be blamed, he will be banned from driving all Guyana Defence Force vehicles.

**COMPENSATION/SUMMARY AWARDS**

11022. In an effort to reduce the number of traffic accidents involving Service vehicles and to recover appropriate cost where structural damage is caused to the Service vehicle, the provisions of section 162 of the Defence Act (relating to the payment as or towards compensation for the loss or damage to Service property), shall, in respect of loss or damage to public or Service vehicle occasioned by wrongful act or negligence of drivers of Service vehicles, be effected as follows:

- a. Whether or not disciplinary action has been taken against the driver after summary trial by his Commanding Officer or an appropriate superior authority, or after trial by ordinary court martial, the report of the traffic accident shall be forwarded to the Headquarters for the determination, inter alia, of whether an order for the payment of compensation should be made;
- b. The authorised officer, for the purpose of making an order for the payment by the driver responsible of such sum specified in the order as or towards compensation for the loss or damage, shall be the Colonel Administration and Quartering;
- c. Where the authorised officer is of the view that the driver of the Service vehicle is wholly responsible for the damage to the Service vehicle, the authorised officer may order to be paid as or towards compensation where the cost of items requiring replacement (excluding labour costs) is assessed as:
  - (1) Twenty five thousand dollars (\$25 000.00) or less, a compensating sum to make good the total cost of such replacement items;
  - (2) More than \$25,000.00 but less than \$125,000.00, a compensating sum to make good at least 50% of the cost of such replacement items, provided that such compensating sum shall not be less than \$25,000.00; and

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- (3) In excess of \$50,000.00, a compensating sum to make good at least 50% of the cost of such replacement items provided that such compensating sum shall not be less than \$50,000.00.

11023. Notwithstanding the provisions of para 11023 c, where the Commanding Officer or the appropriate superior authority dealing summarily with the offence has found the driver guilty of the charge in question having undertaken a journey without authority or having deviated from the authorised route, the authorised officer may order that the driver of the Force vehicle pay as or towards compensation the sum to make good the entire damage, including labour cost.

11024. No order for the payment by the driver responsible as or towards compensation for the loss or damage to the Force vehicle shall be made by the authorised officer if in proceedings before a court martial, appropriate superior authority or a Commanding Officer the driver responsible has been:

- a. Acquitted in circumstances involving a finding that he is not guilty of the wrongful act or negligence in question; or
- c. Has been awarded stoppages in respect of the same loss or damage.

11026. Commanding Officers and appropriate superior authority are reminded that the award of stoppages is a punishment of a nominal sum for occasioning loss or damage to Service or public property. It is not intended to be the method of getting the accused to directly compensate the Force in a significant way for the damage or loss occasioned. In this regard, where Commanding Officers and an appropriate superior authority intend to award a punishment of stoppages, he should consider the nullifying effect that this will have on the authorised officer's ability to make an order for compensation, especially in cases where loss or damage to Service or public property is substantial.

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11026. Where a Commanding Officer considers awarding stoppages in excess of \$20.00, either as the sole award or in addition to any summary award, in dealing summarily with a traffic accident offence, he shall, in accordance with regulation 5 (3) of the Defence (Summary Jurisdiction) Regulations, seek the permission of higher authority to do so.

11027. To reduce the number of traffic accidents involving Service vehicles and to send a strong signal that the level of traffic accidents being experienced is intolerable, the following guide scale of punishments may be applied by officers dealing summarily with traffic accidents offences under the Defence Act, where the officer dealing summarily with the offence considers awarding punishment of a fine; provided that this guideline shall not be regarded as limiting the exercise of the discretion of an officer dealing summarily with an offence to award punishment of a fine or any other punishment:

- a. For the first offence, a fine not exceeding the equivalent of seven (7) days' pay;
- b. For the second offence, a fine not less than the equivalent of seven (7) day's pay but not exceeding the equivalent of 21 days' pay; and
- c. For the third or subsequent offence, a fine not less than the equivalent of twenty-one (21) days' pay.

11028. Commanding Officers are to ensure that drivers report traffic accidents to the civil police as necessary.

### **SPEED LIMITS**

11029. Commanding Officers are to entreat their unit drivers to pay particular care to driving discipline when driving Service vehicles and the necessity of exercising great care in the avoidance of traffic accidents. The attention of all concerned is drawn to the following speed limits:

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- a. On military bases – 5/8 km per hour;
- b. On the public highways – in accordance with the laws of Guyana except that the undermentioned vehicles will not exceed the limit shown in each case:
  - (1) Staff cars - 80 km per hour;
  - (2) Quarter ton vehicles - 70 km per hour;
  - (3) Three quarter ton - 65 km per hour;
  - (4) Land Cruisers and sport utility vehicles – 70 km per hour;
  - (5) Double/Single cab pickups - 65 km per hour;
  - (6) 3, 5 & 10 ton vehicles and buses - 50 km per hour;
  - (8) Motorcycles - 80 km per hour; and
- c. When towing trailers the above speeds are to be reduced by 15 km per hour.

11030. Military transport may be used free of cost to convey soldiers resident in Linden and along the coast to Rosignol each weekend on the scale of one return journey per head per week. No claim for motor mileage allowance may be made if transport is not available.

### **AUTHORISATION OF/AUTHORISED DRIVERS**

11031. The names of soldiers who are authorised to drive military owned or rented vehicles will be published in Force Orders from time to time. However, an officer who is not on the list of authorized drivers may drive a military vehicle if the authorised driver becomes sick to a degree that he will not become well enough to drive after a few minutes rest, or on exercise when the driver is too tired to continue through lack of sleep, provided that the officer is in possession of a valid driver's licence for the type of vehicle he is about to drive.

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### **SPEED LIMIT – BASE CAMP AYANGANNA/STEPHENSON**

11032. All drivers, including those who own personal vehicles are required to observe all traffic signs on GDF Bases, especially on weekends and holidays. The ignoring of these signs is a clear example of the level of discipline existing among drivers. In addition, there is the ever present risk of a serious accident occurring on bases. Invariably when drivers turn corners ignoring the stop sign, the rate of travel is also above the fixed limit of five (5) MPH/eight (8) KPH on bases. Drivers found breaching the speed regulations will be disciplined

### **CELL PHONES – FORCE DRIVERS**

11033. The use of Cell Phones by drivers while driving Force vehicles is prohibited. As is the case with other members of the Force, drivers are to carry their cell phones in a case and clipped on the left side of the belt in line with the pants or front pants pocket of the uniform.

### **VEHICLES OWNED BY RANKS/ DRIVING VEHICLES IN MILITARY BASES**

11034. a. While within a military installation or entering or leaving it, all vehicles, including cycles, owned by Ranks and all Ranks driving vehicles, are subject to the rules and regulations that would normally operate for the particular type of vehicle and for its driver and occupants, if used on the public roads outside the installation.

b. While within a military installation or entering or leaving it, a Rank who is driving a tinted motor vehicle must lower its windows when he is approaching a sentry.

c. All Ranks who are operating private motor vehicles on military installations are required to register such vehicles with their unit headquarters for onward transmission to the G2 Branch. The submission of authenticated copies of the following documents constitutes a registration:

- (1) Insurance certificate.

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- (2) Vehicle registration and vehicle fitness
- d. Change of ownership of registered vehicles is to be immediately notified to the G2 Branch through unit headquarters.

### **CIVILIANS**

11035. Only civilian employees of the Guyana Defence Force and the immediate families of ranks may normally travel in military vehicles.

### **DEMANDS FOR TRANSPORT**

11036. Units requiring transport from the AQ Branch are to submit demands for such transport to the GDF Transport Unit at least twenty-four (24) hours in advance forty-eight (48) hours if a weekend is involved) in the form shown at **Annex Z** to this Chapter.

### **DUTY DRIVERS**

11037. Commanding Officers will ensure that all essential vehicles are manned by a driver twenty-four (24) hours daily. Essential vehicles are:

- a. Duty vehicles;
- b. Ambulances; and
- c. Operations i.e., internal security vehicles.

### **PASSENGERS IN MILITARY TRANSPORT**

11038. The load capacity for the various vehicles used by the Force is not to be exceeded. These load capacities are laid down in the GDF Transport Instructions.

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11039. The senior passenger will sit in the cab of the vehicle, with the driver and be responsible for the conduct of the driver, ensuring compliance with all orders, the safety of any load and the conduct of any other passengers being carried. Passengers will remain seated while the vehicle is moving.

### **DISCLAIMER OF LIABILITY**

11040. The disclaimer of liability must be read to all passengers travelling in GDF vehicles and air transport. Additionally, same must be placed conspicuously in the particular convenience. See Annex B for “Disclaimer of Liability”.

### **SAFETY**

11041. a. Smoking in military owned or hired vehicles is prohibited.
- b. Drivers and passengers (where practicable) in military owned or hired vehicles are to wear seatbelts where fitted.

### **WELFARE BUSES**

11042. These vehicles will be registered as GDF vehicles and as such will be for use primarily as military vehicles.

11043. Duties on which it is considered that these vehicles could be used are as follows:

- a. Carrying families to hospital or medical appointments at the GDF Medical Centre or civilian hospitals;
- b. Band details;

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- c. Collecting or taking families in transit to airports or ships;
- d. Any other passenger carrying details for families (church etc); and
- e. Conveying organised sports teams.

11044. Maintenance and servicing of these vehicles will be carried out by the GDF Workshop or as determined by Defence Headquarters.

11045. When not required for military or recreational use, the buses may be indented for subject to the following conditions:

- a. Applications will be dealt with strictly in order of receipt;
- b. All applications for use of the buses for recreational journeys must be submitted at least 48 hours in advance;
- c. No applications from any source, not received 48 hours in advance, will supersede a booking already properly made, irrespective of the above priorities;
- d. The Force Transport Officer may refuse any booking he considers outside the scope of normal recreational usage;
- e. The maximum seating capacities for the particular type of vehicle will be strictly observed. The driver will be instructed to refuse to carry passengers in excess of this number;
- f. Where luggage etc is carried, seating capacity will be correspondingly reduced; and
- h. Nominal rolls will be sent to the appropriate transport officer together with the indent. The driver will be instructed to carry only those persons shown on the roll.

### **BLAMEWORTHINESS**

11046. a. A driver who is involved in an accident, irrespective of the outcome of any

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disciplinary action taken against him, will be considered to be blameworthy if he is deemed:

- (1) To have been driving too fast, having regard to all the circumstances e.g. conditions of the road, poor visibility;
- (2) To have applied his brakes too firmly;
- (3) To have failed to foresee possible difficulties and danger;
- (4) To have failed to give proper and adequate signals of his intentions; or
- (5) To have failed to comply with the Highway Code.

b. A driver cannot be entirely free from blame if he collides with a stationary object when driving forward and only in very exceptional circumstances if he collides with a stationary object when reversing.

c. Complete guidance cannot be given, however, to cover every circumstance, so every case must be decided on the facts peculiar to it.

11047- 11050. Reserved.

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**PERSONNEL POLICY**  
**CHAPTER 12**  
**HONOURS AND AWARDS**

**PART 1: THE MILITARY SERVICE STAR AND MILITARY EFFICIENCY MEDALS**

12001. The two (2) principal awards with which members of the GDF are concerned are as follows:

- a. **Military Service Star (MSS).** This is the highest award of the state for military service and is awarded for gallantry in action or other distinguished service beyond the normal call of duty.
- b. **Military Service Medal (MSM).** This is the second grade award for gallantry in action or other distinguished service beyond the normal call of duty.

12002. While Commanders should pay attention to their own units in particular, there is nothing which precludes them from making recommendations for persons belonging to other units for performing non-military functions, albeit for awards other than at paragraph 1, a and b above. It should also be borne in mind that organisations and groups can also be recommended for National Honours.

12003. The following procedures should be observed in making nominations:

- a. The candidates' performance must be studied and a special performance report is to be prepared for the period 1<sup>st</sup> Jan to date. See Annexes A and B.
- b. The form of nomination should follow the pattern of the specimen at Annex C. Where additional information useful for assessing the candidate's suitability for an award cannot be accommodated on the form, such information should be given on a special sheet.

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- c. The completed form must reach the Staff Officer 1 Administration, Defence Headquarters on a given date for onward passage to the Secretary-General of the “Order of Guyana”, through the Chief of Staff.

12004. It must be emphasised that the submission of a nomination does not automatically ensure the award of an honour. It also does not necessarily ensure that an award if made will be in the category recommended.

12005. Where personal information has to be obtained from individuals being recommended for honour and where interviews are held with such persons, it must be made abundantly clear to them that they should not as a result of this knowledge, expect an award as a matter of course.

### **PART 2: THE BORDER DEFENCE MEDAL**

12006. The Border Defence Medal for the Guyana Defence Force may be awarded to any Officer or soldier of the Force in the following 2 classes:

- a. **Class 1.** To any Officer or soldier who is a member of a unit actually engaged in hostilities in defence of the territorial integrity of Guyana as a member of the land, maritime or air Forces. To qualify for this award, a person must be physically present in the locality to be described as the area of operations by subsequent order from DHQ for any period of time, but not beginning more than six (6) hours after the cessation of fighting.
- b. **Class 2.** To an Officer or soldier who is a member of a unit actually deployed in areas within 100 km of a hostile border on permanent duty. Only periods in excess of seven (7) days will be calculated as credits to such service. An officer or soldier will become eligible for this award on completion of 365 days of such service.

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12007. Except that, when on active service as in paragraph 1a or on normal service as in paragraph 1b above, an officer or soldier will not be eligible for these awards if and from the date he is found guilty of having committed offences contrary to Sections 33, 34, 35, 36, 40, 41, 42, 45 and 47 of the Defence Act Chapter 15:01 or if he is serving a period of detention on the order of any court in the areas referred to in paragraph 1. Offences contrary to Sections 38, 39, 44 (2), 45, 46, 48, 49, 50, 51 and 52 will be considered for disqualifying persons under rule 1b when committed while on active service.

### **GRANT OF AWARD**

12008. The award of the medal is to be recommended by the Force Honours and Award Committee, with the concurrence of the Chief of Staff.

### **PRESENTATIONS**

12009. The service of an Officer or soldier to be considered as a credit to this award will be calculated as at 30<sup>th</sup> September, every year. The award will be presented not later than 1<sup>st</sup> November, every year. Awards may be presented posthumously.

### **ENDORSEMENTS**

12010. a. **Class 1.** Recipients of this class will be entitled to wear a gold coloured clasp(s) inscribed with the title(s) of the area(s) and year(s) in which hostilities were conducted.
- b. **Class 2.** Recipients of this class will be granted a silver-coloured clasp for each succeeding period of 365 days of border service.

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### **DESIGNS**

12011. The design and colours of ribbons for both classes of the award will be the same.

### **SUFFIX**

12012. The award does not entitle the holder to the use of any suffix after his name.

12013. The abbreviation BDM may be used to refer to this award but is not to be constructed as a suffix.

### **FORFEITURE OF AWARD**

12014. This award may be forfeited from the holder on conviction by a military court of the offences contrary to Sections 33, 34, 36 and 41 47 and 72 (of an unnatural kind) of the Defence Act.

## **PART 3: MILITARY EFFICIENCY MEDAL**

12015. The Military Efficiency Medal for the GDF may be awarded to any Officer or soldier of the regular Force who:

- a. Has completed ten (10) years continuous service.
- b. Has a unit conduct sheet clear of entries, except that if in the opinion of the Commanding officer, the offence recorded is of a trivial or technical nature where there is no evidence of deliberate misconduct.
- c. In the case of a female officer or soldier,

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who has been granted leave for pregnancy in accordance with regulations and assume duty within 13 weeks of her being granted such leave, will have her service deemed continuous.

d. In all other cases of having been granted study leave or leave with no pay, completed ten (10) years service and will have such service deemed continuous.

12016. A candidate for the award must be nominated by his commanding officer on the prescribe proforma.

12017. All nominees are to be reviewed by the Force honours and awards committee with the concurrence of the Chief of staff.

12018. The service of an officer or soldier to be considered as a credit to this award will be calculated as at 1<sup>st</sup> January every year. The award will be presented not later than the 1<sup>st</sup> November every year. The award may be presented posthumously.

### **ENDORSEMENTS CLASPS**

12019. A recipient of the award will be eligible for the award of a clasp for each succeeding period of five (5) years after the initial grant of the award.

### **SUFFIX**

12020. The award does not entitle the recipient to use any suffix or title after his name. The abbreviation MEM may be used to refer to this award but is not to be construed as a suffix.

**FORFEITURE**

12021. The Force Honours and Awards Committee may underwritten advice of a Commanding Officer authorized the Forfeiture of the award in accordance with the provisions of Para 1122 below.

12022. An Officer or soldier who is found guilty of having committed offences contrary to Sections 33 to 50 inclusive on active service or 33, 34, 35, 40, 41, 42, 43, 47 when on normal service, or who is sentenced on normal service, or who is sentenced by Court Martial to dismissal with disgrace or discharge for misconduct, services no longer required (SNLR), or any Officer who is cashiered, shall forfeit the medal or clasps on the recommendation of the Force Honours and the Awards Committee.

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**PERSONNEL POLICY**  
**CHAPTER 13**  
**DISCIPLINE – GENERAL**

**PART 1: DISCIPLINE: SOLDIERS**

**GENERAL**

13001. Every member of the Force is to conduct himself/herself both on and off duty in a disciplined manner. It is his/her duty to obey immediately any lawful order given by a superior officer whether the order be verbal or written; failure to obey is an offence. Conversely it is the duty of all Officers. Warrant Officers and Non-Commissioned Officers to ensure that any order by them is lawful and pertinent, and given in such a manner as not to cause undue offence.

13002. It is the duty of all ranks to acquaint themselves with all relevant Standing Orders and any other orders that may be produced from time to time. It is an offence under the Defence Act to disobey these Orders.

13003. When out of barracks all ranks are to be in possession of their military identification card. If this has been withdrawn for any reason, they are to be in possession of a temporary receipt. If a soldier's ID card is lost, a report is to be made to the G2 Branch as soon as possible thereafter.

13004. If a soldier is unable to return to barracks by the time his/her leave is due to expire, he/she is to take immediate steps to inform his/her Company Commander or immediate superior officer. If either cannot be reached, the Orderly Officer or Guard Commander at the nearest Base should be contacted and informed.

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13005. Any soldier discovering a theft or suspected theft is to report the matter to his Company Commander or the Orderly Officer, who is to conduct an investigation immediately and report to the Adjutant/S1 and if necessary to the G2 Branch or the Civil Police.

13006. A Board of Inquiry is to be convened to investigate all losses.

13007. It is forbidden for any officer or soldier to:

- a. Borrow or lend money or any article of clothing or equipment. All clothing and equipment are to be marked with the owner's number.
- b. Gamble in barrack rooms or act as bookmarker. Fundraising may only be organised with the permission of the Commanding Officer.
- c. Use of military telephone for calls of private nature without prior permission from an officer in authority.
- d. Take part in any civil dispute or demonstration.
- e. Introduce or consume intoxicating liquor in the uniform, during working hours, other than in the Junior Ranks Club, Messes, etc where liquor is authorised to be served and consume.
- f. Write private letters to any Government Ministry or Agency.
- g. Publish any form of military information without the permission of the Commanding Officer. This applies to lectures, articles, etc.
- h. Take a female companion into a barrack room or similar accommodation.
- i. Use the appliances for improper purposes.
- j. Tamper with electrical fittings and circuits.
- k. Use military vehicles for private purposes without prior permission from someone in authority. All ranks are forbidden to drive military vehicles unless in possession of a current drivers' licence and the authorisation of the Mechanical Transport Officer/commanding Officer.

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l. Be in possession of ball and blank ammunition of any description, or pyrotechnics, except for such period as they are issued in the course of military training or duties. Dummy cartridges are not to be carried on any parade when ball or blank is being used. The senior officer or Non-Commissioned Officer present is to ensure that all blank or live ammunition is collected at the end of such a period or duty, and that a declaration is made by everyone present to the effect that there is none in his/her possession.

13008. All private firearms are to be licensed and kept in the armoury together with any ammunition held.

13009. It is forbidden for an officer or soldier to:

- a. Point a weapon at another person accidentally or in jest.
- b. Play wireless sets, gramophones or instruments during working hours.
- c. Enter the Registry/Orderly Room unless on duty. Ordinary Ranks are to first obtain the permission of the Adjutant/S1.
- d. Walk across the drill square.

13010. Officers, Warrant Officers and Non-Commissioned Officers are to be addressed as follows:

- a. Officers and all ranks above the rank of Company Quarter Master Sergeant as Sir/Ma'am or their respective rank.
- b. Company Quarter Master Sergeant as "Colour Sergeant".
- c. Sergeants as Sergeant.
- d. Corporals and Lance Corporals as "Corporals".

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13011. When an Officer enters a room in which there is no other Officer, the first soldier who sees him/her is to call the room to attention.

13012. All ranks are to prevent the waste of gas, electricity and water, Lights are not to be left burning in empty rooms and taps are not to be left running, leaking taps are to be reported immediately to the Q Representative.

13013. Officers and soldiers will not normally be allowed to take up business appointments while in active service.

13014. Offensive weapons of any description (this includes knives with a blade of more than two inches, pistols of any description, knuckle-dusters, bicycle chains etc) are not to be brought into barracks by officers, NCOs or soldiers.

13015. Any Officer, NCO, soldier who owns and wishes to take a pistol or rifle for competition purposes, and possesses the necessary firearm certificate, must apply through his/her company to DHQ for permission to retain that weapon.

13016. When permission has been granted, the weapon is to be kept in the armoury at all times when not in use.

13017. Under no circumstances should any Officer, NCO, or soldier who has such a weapon referred to above keep or take that weapon into any barrack room or living quarters.

### **DISCIPLINE CIVILIAN WORKERS**

13018. Disciplinary action to be taken against civilian employees of the Force is contained in the

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Memorandum of Agreement between the GDF and the GLU, at Annex K, Chapter 1.

**LOSSES - REPORTING AND INVESTIGATING PROCEDURES**

13019 a. Every case of loss of public and Force property, whether by theft or other means is to be reported immediately by the person discovering the loss to their unit headquarters. Loss of private property may likewise be reported if considered necessary.

The unit concerned is then to:

- (1) Inform the G2 Branch by telephone;
- (2) Inform the Defence Headquarters by telephone;
- (3) Carry out immediate search and enquiry;
- (4) Confirm the loss and give a report on any subsequent action taken, in writing, to the Headquarters within 24 hours. The report is to include:
  - (a) Type of materiel lost;
  - (b) Serial number(s) and quantity;
  - (c) Date and place loss occurred;
  - (d) Date and time loss reported to unit headquarters;
  - (e) Name(s) of individual(s) concerned;
  - (f) Short statement of circumstances; and
  - (g) Value of item(s) lost.

b. The G2 Branch is to confirm with the Headquarters that it has received the report and that the civil police has been called, except as may be otherwise ordered.

c. Where the Commanding Officer concerned is of the opinion that the circumstances surrounding such loss involves neglect, misuse of property or theft, he may order that a board of inquiry be convened or an investigation conducted, to ascertain the cause of such loss.

d. A board of inquiry is to be convened in all cases of loss involving arms, ammunition, explosives, pyrotechnics or any controlled stores.

## **SUMMARY PUNISHMENT**

13020. Punishment is a means for the maintenance of discipline. When discipline fails and the punishment of offenders is necessary there are principles which must guide the authority in deciding the appropriate sentence. The guidance for courts-martial on sentencing, set out in the Manual of Military Law (MML), Chapter II, para 79 is generally applicable also to officers awarding summary punishments, who should bear it in mind as well as the more particular guidance set out below:

- a. **Awarding punishment.** It is important that offenders should know that they will be dealt with equitably and swiftly. The following precepts, correctly followed, are designed to ensure this. Punishment must:
  - (1) Be just and not give any suggestion of vengeance;
  - (2) Be appropriate to both offence and offender;
  - (3) Follow as swiftly as possible after the offence; and
  - (4) Be an example and a deterrent to both the offender and others similarly inclined.
- b. **Kinds of summary punishments**
  - (1) **Detention.** Whereas detention served at the Force detention barracks is intended to be remedial and to return a man to his unit a better soldier in every way, detention at unit detention rooms, due to the absence of appropriately qualified staff and adequate facilities, tends to be solely punitive in effect. Before awarding detention, therefore, a Commanding Officer must be sure that the punishment is both appropriate and essential, where the detention will be served in the unit's detention room. It should only normally be used in the last resort when other lesser punishments have failed to take effect.
  - (2) **Fines.** Whilst a fine is a most useful and flexible punishment it has certain limitations:

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(a) A fine is not restitution and should not therefore be equated directly with any financial loss arising from the offence.

(b) It may place a man in, or deeper into, debt.

Thus whilst a fine would hurt the offender it should not cripple him.

(3) **Confinement to Barracks.** The withdrawal of the privileges enjoyed by well behaved soldiers should be the normal sanction for the usually well behaved soldier who has erred. A short period of confinement to barracks ought to be quite adequate to punish the soldier who usually is self disciplined and carries out his duties satisfactorily. For the less well behaved soldier, confinement to barracks should be regarded both as a punishment and as a warning to mend his ways before more serious punishment is inflicted.

(4) **Combination of punishments.** A Commanding Officer should not forget that he may award a combination of punishments. In many cases the award of a fine allied to confinement to barracks will be a more suitable punishment than one of detention.

(5) **The offender.** The character and record of the offender is the most important factors in the consideration of punishment. The following details are all relevant to the determination of sentence and must be taken into consideration:

- (a) Military record and character;
- (b) Behaviour in arrest (where applicable) and during trial; (c) Age;
- (d) Family, personal and financial problems; and
- (e) If he has little Force, his known character before enlistment.

Further factors are also discussed in MML Chapter II para 79.

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**PART 2 - DISCIPLINE: ARREST**

**CONDUCT OF ARREST**

13021. Any officer or soldier found committing an offence against any provision of the defence act, or is alleged to have committed or is reasonably suspected of having committed any such offence, may be arrested in accordance with the following provision:

- a. An officer may be arrested by an officer of superior rank, subject to service law, or, if engaged in a quarrel or disorder, by a non-commissioned officer, subject to service law.
- b. A soldier may be arrested by an officer or non-commissioned officer, subjected to service law provided that a soldier shall not be arrested except by a superior rank.
- c. A provost officer, or any officer or non commissioned officer subject to service law, lawfully exercising authority under a provost or on his/her, behalf may arrest any officer or soldier provided that an officer shall not be arrested except on the order of another officer.
- d. The power of arrest given to any person by this Section may be exercise either personally or by ordering into arrest the person to be arrested or by giving orders for that person's arrest.

**OFFICERS AND WARRANT OFFICERS UNDER CLOSE ARREST**

13022. An officer or warrant officer is placed under arrest by an authority other than his commanding officer unless the needs of discipline so require. When an officer or warrant officer is placed under arrest, the commanding officer, unless after investigation he dismisses the case, is to report the matter without delay to the Branch Head under whose command the unit is serving.

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- a. **Close Arrest.** An officer or warrant officer under close arrest is to be placed under the charge of an escort consisting of another officer or warrant officer of the same rank, if possible, and is not to leave his quarters except to take such exercise under supervision as the medical officers considers necessary. If circumstances so require, however, he may be placed under the charge of a sentry or provost officer.
- b. **Open Arrests.** An officer or warrant officer under open arrest may take exercise at stated periods and within stated periods and within stated limits, which will usually be his/her accommodation; these limits may be expanded at the discretion commanding officer/base commander. He is not to appear in any place of amusement or entertainment or at public assemblies. He is not to appear outside his quarters in dress other than his uniform.

### **INVESTIGATION OF OFFENCES**

13023. The allegations against any person subject to military law who has been suspended from duty or is under arrest shall be duly investigated without unnecessary delay and as soon as may be, either proceeding shall be taking for punishing his/her offence or he shall be released from arrest or reinstated to his/her substantive duty.

13024. An Officer, Warrant Officer or Non-Commissioned Officer who arrest a person or orders that a person be arrested, is to state whether the arrest be open or close arrest. The order for such an arrest may be either oral or written.

13025. An Officer, Warrant Officer or Non-Commissioned Officer is not ordinarily to be placed under arrest by any authority other than the Commanding Officer, unless the need of discipline so require.

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13026. When an Officer, Warrant officer or Non-Commissioned Officer has occasion to place a soldier under close arrest he is to obtain the assistance of other soldiers to conduct the offender to the Guard Room and is to avoid personal contacts with him unless essential to prevent escape.

13027. On the commission or discovery of an offence which is not of a serious nature, the accused is not normally to be arrested but should be informed of the charge and order to attend for orders at a specific time. He is to be placed under open arrest only when his offence is of a serious nature but the circumstances do not warrant confinement. He is to be placed under close arrest for the maintenance of discipline, or where likely to do injury to himself.

13028. On remand for further investigation or trial the accused is to be placed under open or close arrest only when it is desirable in the interests of discipline or in his own interests.

13029. A soldier placed under close arrest is to be confined immediately in the guard Room.

### **BOARDS OF INQUIRY**

#### 13030. a. **General**

(1) Boards of inquiry are to be convened in accordance with the Defence (Board of Inquiry) Act 1977. Administrative guidelines relating to these boards are contained in section 129 of the said Act.

(2) When an investigation is held for the purposes of Section 55 of the Defence Act into the cause of any loss of or damage to public or Force property, and when subsequent action is taken with a view to the payment of compensation by the person responsible, the Administrative Guidelines contained in section 129 (Defence Act) are to be followed.

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b. **Matters To Be Investigated By Boards Of Inquiry.** A board of inquiry must be convened to investigate the following matters:

- (1) The absence of any person subject to military law under the Defence Act;
- (2) The death of any person where an inquiry into death is not required by the civil authority.

c. The law and regulations provide for other matters to be referred to a board of inquiry and, in addition to the matters afore-mentioned, the following could also be the subject of a board of inquiry:

- (1) The death of a rank, other than those occasioned by enemy action, even where a civil inquiry is being held;
- (2) In peace-time when an individual is reported missing;
- (3) When a civilian employee is fatally injured in the course of his duty;
- (4) When the death of a civilian is reportedly caused by military personnel through some defect of Guyana Defence Force property or by negligence;
- (5) Escape from a military detention;
- (6) The loss of weapon or any part thereof;
- (7) The loss of ammunition or explosives;
- (8) The loss of documents or equipment classified CONFIDENTIAL and above;
- (9) Traffic accidents under the following circumstances:
- (10) Where damage to the military or other vehicle is estimated to be in excess of \$20,000.00;
- (12) Where any injuries, other than trivial, are sustained by any person, or death results from the accident;
- (13) Where damaged by fire is caused as a result of the accident;
- (14) Where the Commanding Officer considers that further evidence over and above that submitted is necessary to enable the cause of the accident to be

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correctly determined; or

- (15) Where the Chief of Staff's so directs.
- (16) Accidents involving Guyana Defence Force marine craft;
- (17) Accidents involving Guyana Defence Force aircraft; and
- (18) The loss of or damage to public or Service property other than mentioned above, depending on the extent of the loss or damage.

d. This list above is not exhaustive and in other matters requiring investigation it will be for consideration in each case whether a board of inquiry should be held. Normally a board of inquiry will only be held when a matter to be investigated is of considerable importance.

e. **Reference To Legal Authority Before Convening.** The advice of a legal officer is invariably to be sought before a board of inquiry is convened if:

- (1) If it is proposed to hold an inquiry while civil police or other investigations are in progress or before any disciplinary proceedings in connection with the matter under inquiry are taken or, if begun, before completion;
- (2) The facts appear to be complicated or likely to disclose fraud or culpable neglect;
- (3) There is doubt whether an inquiry is necessary or about the appropriate form of inquiry. In seeking legal advice the fullest information, including any military or civil police reports and any documentary exhibits, are to be forwarded with the request.

e. **Swearing of Witnesses.** If when a witness is sworn the members of the board were not all present no proceedings can be taken because the board was not properly constituted at the time when he was sworn.

f. **The Public And The Media.** No member of the public or the media has a right to be present at an inquiry. Any application to attend received from the media is to be referred to the Defence Board. The applicant is to be informed of the action taken.

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- g. **Civilians.** A civilian witness, together with his representative, may only be present when giving evidence.
- h. **Opinions.** If directed by the authority to express an opinion on any matter and, in particular, on the responsibility of any person whose act or omission the evidence discloses as having occasioned, whether in whole or in part, loss or damage to public or Service property, the inquiry is to record its opinion or its inability to express an opinion with reasons and, where appropriate, apportion responsibility between one person and another. Where the president and members of a board are unable to express a unanimous opinion, the point or points of disagreement and the reason(s) therefore will be recorded in the record of proceedings as a part of the report.
- i. **Record of Proceedings.** The record of the findings and recommendations of the Board of inquiry is to be sent to the unit Headquarters and Defence Headquarters, as necessary.

### **SOLDIERS IN CLOSE ARREST**

13031. An NCO in close arrest is to be placed under the charge of an escort consisting of another NCO of the same rank. The NCO is not to leave his/her quarters except to take thirty (30) minutes exercise in the morning and afternoon. He/she is not to appear in any place of amusement or entertainment.

13032. An Officer Warrant Officer or Non-Commission Officer placing a soldier under close arrest is responsible for delivering a charge sheet to the superior authority within twenty four hours (24hours), no soldier is to be kept in either open or close arrest for a period longer than 24 hours, (excluding Sundays public holidays) without being brought before his Subordinate Commander for trial, if necessary on a holding charge only. All soldiers in close arrest or open

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arrest on charges awaiting disposal are to be brought before their Subordinate Commander every day and remanded until such time as the case is disposed of.

13033. Officers, Warrant Officers and Non-Commissioned Officers may be confined to their quarters under escort when under close arrest. The escort is to be of equal rank to the accused.

13034. The name of any Officer, Warrant Officer or Non-Commissioned Officer or soldier placed in close arrest is to be reported at once to the Adjutant, Regimental Sergeant Major, Company Sergeant Major and Company Orderly Sergeant of the Company concerned.

13035. An accused soldier to be placed under close arrest whilst a summary of evidence is being taken on the day prior to his/her court-martial.

13036. A soldier placed under close arrest for drunkenness is not to be tried until 24 hours after the time of his arrest.

13037. Senior NCOs under close arrest are not to wear sash or belt.

- a. A soldier placed in close arrest is to be confined in the guard room.
- b. If arrested in civilian clothes, he/she is to change into uniform at first opportunity. Unlike a person under sentence the soldier is not to be deprived of his headdress.
- c. The soldier is to be told why he/she has been arrested and the nature of the charge against him/her.
- d. A soldier in close arrest is not to attend parades or carry out any duty.
- e. A soldier under close arrest is to be roused at reveille by the Duty Provost and be washed and shaved, and have cleaned his/her cell before Breakfast.

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- f. The soldier is to have his/her meals in the Guard Room under the supervision of the Duty Provost.
- g. Unless having meals, carrying out his/her ablution or being exercised, the soldier is to be confined to his/her cell.
- h. The soldiers is to be exercised for thirty minutes every morning and afternoon by the Duty Provost.
- i. A soldier in close arrest is to use his/her own bedding in the cell.
- j. The soldier may receive visitors at the discretion of the Subordinate Commander.

### **SOLDIERS IN OPEN ARREST**

13038. An NCO in Open Arrest is to handover his/her duties and then do no more than is necessary to keep him/her self and belongings clean.

13039. A soldier in open arrest is to attend all parades and may be ordered to perform all duties.

13040. NCOs and PTEs in open arrest may use their respective messes, canteen or clubs.

### **ORDERS FOR PRIVATES IN DETENTION**

13041. PTEs awarded detention are to be confined in the unit Guard Room or any other authorised place of detention.

13042. PTEs under sentence are to be in possession of a full kit. This is to be checked by the CQMS of the soldier's Company as soon as he/she is confined. All civilian clothing is to be securely labeled and handed into the CQMS' store. Personal items value, money, etc, are to be listed in the Prisoners Property Book and looked in a safe place.

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13043. The following procedures are to be observed:

- a. PTEs under sentence are to have a medical inspection as soon as possible after being confined. The sick report is to be endorsed fit to undergo detention.
- b. Smoking is to take place under the strict supervision of the Duty Provost, who is to ensure that no cigarette ends are retained by the persons under sentence after this period.
- c. At cell search each evening, the soldier (and all his/her)\* is to be thoroughly searched by the Duty Provost for any illegal items, such as tobacco, matches, or items useful in an escape.
- d. A PTE under sentence is allowed to write one letter on admission to the Guard Room and one letter every week thereafter. Parcels are to be opened in the presence of the Duty Provost and the contents listed in the Prisoners' Property Book and locked away for safe-keeping.
- e. Soldiers under sentence may receive visits from relatives and friends. Any such visit is to be within the sight and hearing of a member of the Provost Staff.
- f. Soldiers under sentence may be visited weekly by a Chaplain of their faith.
- g. Soldiers under sentence are to wear uniform, at all time complying with the order of dress laid down in the Force's Dress Regulations, except that no headdress is to be worn.
- f. Soldiers under sentence are to have a haircut once a week. Remission may be earned by a soldier under sentence for good conduct.
- h. Soldiers sentenced to 28 days detention or less can earn a remission of four days, provided the sentence is not reduced to less than 24 days.
- i. Soldiers sentenced to more than 28 days detention can earn a remission of one third of the whole sentence.

**PRISONERS UNDER ESCORT AND USE OF HANDCUFFS**

13044. a. The escort of a private soldier or other person of equivalent status is to consist of a NCO not below the rank of corporal and one private soldier.
- b. When parties of two (2) or more move under escort from one military station to another, the number of private soldiers in the escort need not exceed the number of prisoners escorted.
- c. Escorts are to be provided with handcuffs. If the commanding officer of the dispatching unit considers that a prisoner is likely to attempt to escape or be violent, he is to give the NCO of the escort written instructions that hand cuffs are to be used throughout the journey or part of the journey. Otherwise handcuffs are to be used at the discretion of the NCO of the escort.
- d. If handcuffs are used the NCO of the escort is to submit, on completion of his escort duty, a report to his commanding officer setting out the circumstances.
13045. No punishment of any kind is to be awarded to soldiers under sentence by any person other than the Commanding Officer.

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**PERSONNEL POLICY**  
**CHAPTER 14**  
**FORMS OF MILITARY DRESS**

**GENERAL INSTRUCTIONS**

14001. A Commanding Officer is forbidden to introduce or sanction for experimental or other purposes any unauthorised deviation from the scale pattern of dress, clothing, equipment and badges. He will be responsible for the cost of replacing or restoring to the approved pattern any articles worn in his unit that may be found not in conformity therewith.

14002. Soldiers will not leave their quarters unless properly dressed.

14003. Soldiers will not drink, smoke or chew gum in the streets when on duty and in uniform.

14004. It is the duty of all officers and NCOs to report irregularities of dress or misdemeanours of soldiers on short pass or leave to the Commanding Officers concerned, whether the soldier belongs to their own unit or not.

14005. No unauthorised ornament or emblem will be worn with uniform.

14006. Uniform will be worn by all ranks while on duty. Plain clothes may be worn when not on duty. This concession may be withdrawn or restricted at the discretion of Commanding Officers whenever local conditions render this necessary.

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14007. A Commanding Officer may order the wearing of uniforms on special occasions such as military entertainments in barracks. In addition, a Commanding Officer at his discretion may withdraw the privilege of wearing civilian clothes.

14008. Permission to wear civilian clothes will be withdrawn automatically when a soldier is undergoing the punishment of restriction of privileges.

14009. The hair on the head will be kept short. The sides of the face, chin, and under lower lip will be shaved. Moustaches if worn will be kept neatly trimmed and of a moderate size.

14010. a. Trinkets will not be worn with uniform.
- b. Female officers and Other Ranks will be permitted to wear wedding and engagement rings. However, medical personnel will not be permitted to wear weddings and engagement rings when performing professional duties.

14011. Female Officers and Other Ranks when in uniform will not carry civilian-type handbags. The regulation pattern satchel may be carried by all ranks when not on parade, and will be worn on the left shoulder.

14012. Revolvers or pistols will be carried when specially ordered, by all ranks for whom they are the regulation equipment.

14013. A soldier going on pass or leave will not take any arms or accoutrements other than the waist belt.

14014. Regulations and other forms of military uniform of absolute pattern must not be worn at fancy dress balls.

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14015. Arms and ammunition will be carried on parade in all orders of dress, as may be ordered.

14016. Overalls may be worn at recruits' drill, and on all fatigues in barracks or camps and on all occasions when their use will save men's clothing.

14017. No unauthorised markings are to be made on military clothing. All military property is to be marked in accordance with the Force's regulations.

14018. No items of clothing and equipment of foreign military Forces will be worn by officers and soldiers in uniform.

14019. The wearing of mixed dress either of civilian and military pattern, or different forms of military dress of any item or portion of military dress without the complete form of dress is forbidden.

14020. As a rule, all ranks will be dressed and equipped alike on any parade, training exercise or operations, except for the use of badges of rank and other accoutrements specified in these operations.

14021. Commanding Officers may permit such verification in dress in areas subject to wide verification in climate from right to day in the interest of the health and comfort of soldiers under their command.

14022. Soldiers are strictly forbidden to:
- a. Alter boots and equipment except for legitimate repairs.
  - b. Distort the shape of badges or emblems, their head-dress or other items of clothing.

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- c. Wear items of clothing, which by their rank or specialist area they are not entitled to do.
- d. Use unauthorised dyes, bleaches and other chemicals on clothing.
- e. Replace parts of equipment with items of their own manufacture or design or make unauthorised improvisations.

14023. All ranks are responsible for the care, regular cleaning and maintenance, simple repair and the preservation in a clean and serviceable condition of all items of clothing issued to them.

14024. All clothing and equipment shall remain the property of the state. Whenever the service of any person is terminated, all clothing and equipment which have been issued shall be returned. Any deficiency will be paid for.

14025. No unauthorised cleaning process or cleaning materials which are likely to reduce the life of clothing and equipment are to be used.

## **MOURNING**

14026. Service mourning, when ordered, will be observed as follows:

- a. When attending service funerals and associated memorial services held on the same day, officers will wear a mourning band of black crepe or black cloth 33/4 inches wide halfway between the left elbow and shoulder. It will not be worn at ceremonies such as the unveiling of Memorials and Remembrance Day celebrations.
- b. An officer in private mourning may, when in uniform, wear a mourning band as described above. An NCO or soldier may, similarly whether in private mourning or at military funerals, wear a mourning band of black material should he/she wish to do so.

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### **SPECTACLES**

14027. a. Spectacles may be worn by all ranks.
- b. Soldiers when on duty or active service will wear only the spectacles provided at the public expense.
- c. It is the responsibility of an officer requiring glasses for use in the field to provide himself/herself with the approved type of spectacles which do not interfere with the wearing of a respirator.

### **DECORATIONS**

14028. Insignia of orders, Decorations and Medals, and Medal Ribbon will be worn by Officers and Soldiers on the following occasions.

- a. State occasions.
- b. Guards of Honours
- c. Military funerals and memorials services connected therewith.
- d. Ceremonial parades.
- e. Parades which include a religious service.
- f. Courts-martial
- g. By an inspecting officer and his staff.
- h. As may be specially ordered.

14029. It will be considered a State Occasion when the President or a representative of the President is president. Therefore decorations and medals will also be worn by an officer or soldier:

- a. When attending an investiture as the recipient of an order, decoration or medal.

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- b. When attending parades or ceremonies as spectator, unless specially ordered to wear them.
- c. When walking out.

14030. No foreign decoration or medal, however acquired, will be worn without prior permission of the Defence Board.

14031. Officers and soldiers of the GDF who are holders of any of the followings Orders of Guyana and other medals are entitled to wear the decoration or insignia of the order(s) when in uniform:

a. **Order of Excellence**

b. **Order of Roraima**

c. **Order of Service**

(1) **General Awards**

- (a) Cacique's Crown of Honour
- (b) Golden Arrow of Achievement
- (c) Medal of Service.

(2) **Courage and Bravery**

- (a) Cacique's Crown of Valour
- (b) Golden Arrow of Courage
- (c) President's Commendation for Brave Conduct

(3) **Military Service**

- (a) Military Service Star
- (b) Military Service Medal
- (c) Efficiency Medal

(4) **Other Disciplined Service**

- (a) Disciplined Services Star for Distinguished Service.
- (b) Disciplined Service Medal for Meritorious Service

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(c) Disciplined Service Medal for long Service and Good Conduct.

**d. Other Medals**

- (1) Border Defence Medal
- (2) Independence Medal
- (3) Military Commemoration Medal
- (4) Twenty-fifth Anniversary Medal
- (5) Fortieth Anniversary Medal

**INSTRUCTIONS FOR WEARING DECORATIONS**

14032. a. An officer or soldier holding any national award whether civil or military, will be entitled to wear the decoration or insignia of that award in uniform.

b. Holders of other awards are not entitled to wear their decorations or insignia when in uniform except when permission is granted by the Defence Board.

14033. a. Medals are to be worn over the left breast pocket of the tunic.

b. When a single medal is worn, it is to cover the left breast pocket button.

c. When more than one medal is worn, they are to be in order of precedence, the highest award being closest to the fly of the tunic or shirt.

d. Ribbons are to be worn in the same order as at “c”.

14034. a. The rules for wearing medals are stated in para 1428.

b. Ribbons will only be worn in service dress or when ordered.

c. “Good Conduct” and “Model Soldiers” or other proficiency badges will be worn in working dress.

d. Miniatures will be worn in evening dress. Under no circumstances will standard medals or ribbons be worn in evening dress.

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- e. No military decorations are to be worn in civilian clothing while holders are still in service.
- f. Authorised clasps only, when general issue, will be worn.

### **DRESS OVERSEAS**

14035. a. An Officer while in a foreign country (except on official tour or at a mission, etc) will not wear uniform without having obtained the permission of the Guyanese ambassador, which will only be granted when the officer is employed on duty or at state ceremonies to which he has been invited.
- b. Permission to wear uniform at foreign manoeuvres can be obtained only from Office of the President/Defence Headquarters prior to departure abroad.
- c. Special uniform may be issued to persons travelling to countries where it is impracticable to wear regulations dress.

### **INSTRUCTIONS FOR WEARING UNIFORMS**

14036. A beret is worn, the badge of the beret is to be 1 inch above the left eye, with the bottom tip of the star touching the leather band, and the fullness of the beret pulled down to the right side and wear.

14037. If a cap is worn, the badge will be in the front center with the peak pointing forwards.

14038. The jungle hat is to be worn square on the head with the brim up on the sides at the back, but down at the front.

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14039. Short sleeves are to be rolled up so that the final fold is 3 inches in width and just on the band of the elbow.

14040. 37 Pattern belts and rifle slings are to be stained and brass fittings polished.

14041. Cloth badges of rank are to be worn by all ranks in training or operations dress.

14042. Web equipment will be lightly swabbed to remove dirt but is not to be scrubbed.

14043. Steel helmets are to be painted in an appropriate colour and should not carry any badge or insignia of rank.

14044. With exception of wedding rings and one (1) other on the fourth finger on the right hand, other rings and wrist watches are not be worn with No: 1 Dress or No: 4 Dress. Religious Medallions if worn are not to be visible.

14045. Large metal buttons are only to be used on the fly of the tunic in No: 1 Dress: small buttons will be worn elsewhere on the tunic.

14046. When swords are carried, the following officers will allow the sword (lanyards) knots to hang free:-

- a. Officers above the rank of Captain
- b. Company Commanders
- c. Adjutants, Executive Officers, ADC to the President

14047. The image of the Canje Pheasant on buttons and badges should always face:

- a. Inwards when badges are set on collars.

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- b. Forwards when badges are set on shoulders.
- c. To the right and be erect when buttons are worn on tunics etc.

14048. Metal badges when worn will carry green felt backing.

14049. Scarlet lanyards will be worn by all ranks in No. 1 Dress only.

14050. Pistol when worn will be on the right hip. When lanyards are attached, they will be on the right shoulder.

14051. Where a headdress is the order of dress, it will always be worn out of doors in uniform, except for cooks, medical staff and persons on duty.

14052. Duty Officers, Orderly Officers, and other persons on duty will dress in accordance with Standing Orders.

14053. In Clubs and places of entertainment, articles of clothing, except headdress, are not to be removed. The shirt front is not to be left undone.

14054. Medals and ribbons are to be worn from right to left in order of precedence.

### **INSTRUCTIONS FOR FEMALES**

14055. In addition to the foregoing provisions, females are to conform to the following:-

- a. The hair should be neat and tidy. Long hair should be folded upwards so that it does not touch the collar. No wigs or hair pieces are to be worn. Hair styles are not to

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protrude further than 3 inches from the head. Brightly coloured hair decorations are not permitted.

b. Make-up is to be light and of a natural colour. No rouge, lipstick, and eye shadow etc are to be used in working dress. However, these may be permitted with Mess Order. Small matching earrings may also be worn with Mess Order.

c. The nails should be clean and of a tidy length. No coloured nail polish is to be used.

d. Except for wedding and one other ring, for example engagement, other types of gold jewellery are not to worn in uniform.

e. The skirt is to be two inches below the knee.

f. The handbag is to be worn with the strap over the left shoulder and should drop to hip height.

g. Socks should be rolled down to the ankles with 2 inches fold.

### **INSTRUCTIONS FOR WEARING FIELD DRESS**

14056. The following items are to be carried by every officer and soldier on operations:

- a. Socks
- b. Face veil
- c. Mess Pans
- d. Towel
- e. Holdalls
- f. OG/Camouflage Suit
- g. Blanket
- h. Canvas Shoes
- i. Vest
- j. Shirt

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14057. The officer will be dressed in accordance with these regulations and additional items of equipment may be carried.

14058. Commanding Officers may authorise more or less equipment to be carried on the person or on unit transport, or special equipment such as respirators, depending on his assessment of the operational requirement and situation.

14059. On long moves by air, land and water transport, parts of the equipment may be removed for safety or comfort as provided for in unit and corps orders.

14060. Inspecting officers, visiting officers and umpires on training and field manoeuvres are to wear the same order of dress as the troops being exercised, except that web equipment need only be worn if necessary.

14061. Dress for troops as “enemy Force” on exercise may be laid down in training instructions.

### **USE OF CIVILIAN CLOTHING**

14062. The following ranks may be permitted to wear civilian clothing while on duty.

- a. Intelligence and security staff.
- b. Persons on special or clandestine operations.
- c. Honorary officers.
- d. Untrained persons.

### **USE OF MILITARY RAINCOATS**

14063. a. All ranks are permitted to wear rain coats.

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- b. Rain coats are not permitted to be worn in No 1 Dress.
- c. Raincoats are not permitted to be worn in Civilian Dress.
- d. The head dress must be worn at all times with the raincoat.
- e. Rain coats must be fully button up.

### **USE OF PONCHOS**

14064. a. Ponchos are to be worn by all ranks in training or operations.
- b. Ponchos are not permitted to be worn in No 1 Dress.
  - c. Ponchos are not permitted to be worn in Civilian Dress.
  - d. The hood must cover the head at all times.

14065. See Annex A for description of various dresses.

### **DRESS SOLDIERS UNDER SENTENCE/CONFINEMENT**

14066. a. Green PT vest
- b. Dark blue PT shorts
  - c. Worsted socks
  - d. Canvas shoes
  - e. No headdress will be worn

### **DRESS FOR REGIMENTAL POLICE**

14067. a. Green beret with badge/while helmet
- b. OG short sleeved shirt with corps insignia
  - c. OG slacks

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- d. White belt
- e. Worsted socks
- f. DMS boots
- g. White puttee straps
- h. RP hand band to e worn on left hand
- i. Pistol when order to be in white holder on right hip with lanyard attached.
- j. The baton will be carried during tour of duty

### **DRESS FOR MESS STAFF ON SPECIAL OCCASION**

14068. a. White tunic/shirtjac
- b. Green ceremonials trousers/skirts
  - c. Scarlet lanyard
  - d. DMS Boots/black shoes
  - e. Worsted socks
  - f. Black stockings (for females)
  - g. Badges of rank to be worn

### **OTHER FORMS OF DRESS**

14069. See GDF Dress Regulations.

14070 – 1475. Spare.

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**PERSONNEL POLICY**  
**CHAPTER 15**  
**FORCE PHYSICAL FITNESS POLICY**

**GENERAL**

15001. The GDF demands a minimum level of physical fitness appropriate for the duties their people will undertake in the maritime, land and air combat environments. These demands recognise age and gender-related physical capabilities. GDF staff, and officer cadets must also maintain a level of physical fitness appropriate for the work they undertake, and their age, and they undergo regular tests to ensure that they are maintaining their fitness. A professional team of fitness trainers works at GDF to assist and encourage staff, midshipmen and officer cadets to maintain the standard.

15002. Officers and Non-Commissioned officers who are responsible for planning, conducting and evaluating physical training and testing must become knowledgeable with the principles, procedures and basic guidelines set out below. The welfare and safety of each individual soldier is of the utmost concern.

15003. All GDF soldiers are authorised to participate in physical training 45-60 minutes per day, 3 days per week immediately after Flag Raising Parade. Commanding Officers are authorised to temporarily suspend participation in the program if required by mission or surge in workload.

**PRINCIPLES OF EXERCISE**

15004. Adherence to certain basic exercise principles is important for developing an effective program. The principles of exercise apply to everyone at all levels of physical training, from the

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olympic calibre athlete to the weekend jogger. They also apply to fitness training for military personnel. These basic principles of exercise must be followed:

- a. **Regularity.** To achieve a training effect, a person must exercise of ten. One should strive to exercise each of the first four fitness components at least three times a week. Infrequent exercise can do more harm than good. Regularity is also important in resting, sleeping, and following a good diet.
- b. **Balance.** To be effective, a program should include activities that address all the fitness components, since overemphasizing any one of them may hurt the others.
- c. **Variety.** Providing a variety of activities reduces boredom and increases motivation and progress.
- d. **Specificity.** Training must be geared toward specific goals. For example, soldiers become better runners if their training emphasises running. Although swimming is great exercise, it does not improve a 2-mile-run time as much as a running program does.
- e. **Recovery.** A hard day of training for a given component of fitness should be followed by an easier training day or rest day for that component and/or muscle group(s) to help permit recovery. Another way to allow recovery is to alternate the muscle groups exercised every other day, especially when training for strength and/or muscle endurance.
- f. **Overload.** The work load of each exercise session must exceed the normal demands placed on the body in order to bring about a training effect.
- g. **Progression.** The intensity (how hard) and/or duration (how long) of exercise must gradually increase to improve the level of fitness.

## **FITT FACTORS**

15005. Certain factors must be part of any fitness training program for it to be successful. These factors are Frequency, Intensity, Time, and Type. The acronym FITT makes it easier to

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remember them. Force Regulation specifies that vigorous physical fitness training will be conducted 3 times per week. For optimal results, commanders must encourage their charges to train 5 days per week.

### **INDIVIDUAL READINESS TEST (IRT)**

15006. A chronological record will be maintained to monitor the physical fitness of the Officer or Soldier. When the member is unable to take the record test, an entry will be made indicating date of test and the reason(s) in the remarks.

A copy of the profile (if applicable) must also be provided.

- a. All GDF soldiers are required to complete and pass the IRT every quarter. Soldier who do not take an IRT within nine months of the last IRT, and have no profile or reasons not to take the IRT, will receive a failure.
- b. Army physical fitness test failures:
  - (1) Immediately place the soldier in a remedial physical fitness program. The mandatory make-up test date must be within forty-five (45) days of the original test date. The soldier may voluntarily take the make-up test at any time within the forty-five (45) day window.
  - (2) When a soldier retakes the IRT within the forty-five (45) day window and passes, he/she is removed from the remedial physical fitness program and disciplinary action is terminated.
  - (3) When a soldier retakes the IRT and fails a second time, commanders must process the soldier for a medical evaluation and then if necessary initiate involuntary separation action from Guyana Defence Force.
- c. See Annex for additional IRT guidance.

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### **HEALTH**

15007. All GDF staff, and officer cadets have the access to medical treatment enjoyed by other members of the GDF. Medical fitness is a prerequisite to participation in physical training and sporting activity.

### **SPORT AT GDF**

15008. Sport is voluntary at GDF but recruits and officer cadets are strongly encouraged to participate in the sport of their choice and to the best of their ability, consistent with maintaining a focus on achieving high grades in academic and military studies. They have the opportunity to participate in sport with other GDF members and members of the wider community. GDF recruits and officer cadets may compete in GDF sporting competitions providing it can occur without detriment to their training.

### **GDF BMI PROGRAM**

15009. All members of the GDF will be in compliance with prescribed BMI standards. Failure to meet the stipulated BMI standards will be placed on a Weight Control Program. Soldiers failing to make satisfactory progress in the weight control program will be processed and recommended for separation from the GDF

### **MEDICAL SUPERVISION OF PHYSICAL TRAINING**

15010. a. Medical officers will attend physical training periods at appropriate intervals to watch the progress of troops under their care, paying particular attention to those who are likely to break down under training. They will maintain close liaison with the

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physical training staff. When recruits are being trained, medical officers will attend physical training periods at least twice in the first 5 weeks of training and at least once between fifth and eighth weeks. They will give attention to physical efficiency tests and will, whenever possible, be present when these are carried out.

b. Medical officers will arrange for any soldier whose fitness is in doubt to be paraded for medical examination before recruits, standard or battle tests. They will pay particular attention to soldiers in low medical categories and will ensure that the appropriate training officer is notified of any items of physical training from which an individual should be excused. They will pay attention to the climatic conditions under which physical efficiency tests are carried out and will advise Commanding Officers on any modifications in the training programme which may be dictated by climatic conditions.

### **MEDICAL EXAMINATION OF SPORTSMEN**

15011. Medical officers are to examine boxers referred to them by Commanding Officers or unit boxing officers. They are to examine participants in other sports and adventurous activities when requested to do so.

### **BASIC FITNESS TEST**

15012. a. The Guyana Defence Force has many roles. In order to perform these roles effectively, Ranks must have the required levels of physical fitness. A key element of our peacetime activity - training for combat operations - is the maintenance of individual and unit physical fitness, or being fit to fight.

b. It is the duty of all Ranks to keep themselves physically fit to fight. Physical fitness is initiated on entry during recruit training, and can be maintained throughout a

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Service career by active participation in competitive physical sports at sub-unit, unit, national and international levels.

c. There is no set amount of fitness training to be performed by Ranks.

Training is left to the discretion of Commanding Officers. Commanding Officers are to determine how established fitness standards are to be achieved and maintained. Like all training, fitness training should be designed so that it is enjoyable as well as effective.

Individuals must appreciate that it is their responsibility to maintain the fitness standards required of them; some may require extra exercise, unsupervised, in their own time.

d. Further details regarding, physical fitness may be found in the GDF publication Manual of Physical Fitness.

### **MILITARY SWIMMING TEST**

15013. a. All Ranks are required to pass the Military Swimming Test (MST). Once passed, the result is to be recorded on the individual's personal documents. The Rank needs to pass the MST only once in his service career.

b. The following conditions are mandatory during the conduct of the MST, which may take place in fresh or salt water:

- (1) The dress will be swimming trunks for men and swimsuits for women.
- (2) No part of the body is to touch the bottom or side of the pool or the seabed at anytime.

c. The following procedure is to be performed successively and continuously during the test:

- (a) The candidate is to jump into the water from at least two (02) metres above the water surface, then
- (b) Tread water for two (02) minutes, then

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- (c) Swim one hundred (100) metres using any swimming stroke. There is no time limit for the swimming part of the test.

15014 - 15020. Reserve

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**PERSONNEL POLICY**

**CHAPTER 16**

**SUBSTANCE ALCOHOL AND OTHER FORMS OF ABUSE**

**GENERAL**

16001. a. Abuse of drugs, besides its harmful effects on the individual, constitutes a serious threat to efficiency, safety, discipline and security. Use of marijuana (ganja), cocaine, crack, heroin or any controlled drugs, or their possession, importation or supply to others, are serious disciplinary offences. No member of the Force shall have in his possession nor use any substance which he believes, or has reasonable cause to suspect, to be a controlled drug, unless properly prescribed. Possession or use of a controlled drug is likely to result in custodial sentence and dismissal from the Force. Abuse of substances other than controlled drugs (e.g. solvents) falls within the general description of drug abuse and may lead to similar consequences.
- b. It is the duty of all officers, warrant officers and NCOs to ensure that all under their command are aware of the risks of drug abuse and of the penalties. They are to emphasise the great dangers to operational efficiency and safety presented by drug abusers and are to do all within their power to foster a climate of opinion, at all levels, in which even the most casual experimenting with drugs is unacceptable.
- c. Ranks who are caught with or suspected of using controlled drugs, will be referred to the Force Medical Officer for testing to ascertain usage. If such tests are positive, then disciplinary proceedings will be initiated against the Rank concerned. In cases of possession of, or involvement with, controlled drugs, disciplinary proceedings will be initiated regardless of the results of any subsequent tests for usage. It should be brought to the attention of all ranks that refusal to undergo a drug test will result in disciplinary action being taken and may result in discharge from the Force.

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- d. Ranks who report to their Commanding Officer, Officer Commanding, the Force Medical Officer or other appropriate authority that they are drug users will be treated as medical cases, even though disciplinary measures will be meted out. They will be referred for treatment through the Force Medical Officer. Refusal or failure to attend for treatment will be considered as grounds for disciplinary action.
- e. All Commanding Officers are to:
  - (1) Ensure that all under their command are aware of the risks of drug abuse and of the need to report known or suspected cases.
  - (2) Arrange adequate education with their units. Basic educational materials on marijuana and cocaine can be easily obtained via the internet.
  - (3) Ensure that any evidence, indication or suspicion of drug activity of any kind is brought to their attention without delay and reported to the Headquarters.
- f. Commanding Officers of training establishments are to ensure that all recruits receive instruction on the dangers of drug abuse and on the Force's policy towards it.
- g. Recruiting officers are to warn all applicants of the Force's attitude to drug abuse and are to inquire closely into the attitudes to drugs.

### **DRUG ABUSE – MARIJUANA (GANJA)**

16002. Marijuana or 'ganja', 'collie', 'sensee', 'pot', 'grass', 'herb', 'weed', 'spliff', are the common names for plant Cannabis Sativa. The main mind altering ingredient in Marijuana is the delta-9-tetrahydrocannabinol (THC), but more than 400 other chemicals are also in the plant.

16003. Why do people use Ganja:

- a. To relieve boredom (for kicks/something to do);
- b. In response to pressure from friends and colleagues (peer pressure affects young people who don't want to be different from others in their group);

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- c. To relieve tensions, anxiety and depression;
- d. To try to hide inadequacies and increase self assurance;
- e. Out of curiosity and a desire to experiment;
- f. To escape from emotional problems;
- g. To feel grown up.

16004. Ganja is most commonly made from cigarette (spliff) and smoked. It is also smoked from a “chillum” pipe.

16005. What are the effects and danger of smoking Ganja?

- a. Studies of Ganja’s effects have shown that the drug can impair or reduce short term memory, alter sense of time, and reduce the ability to do things which require concentration, swift reactions and coordination, such as studying, performance in sports, and even driving a car.
- b. Some immediate physical effects of Ganja include a faster heart beat and pulse rate, bloodshot eyes, and a dry mouth and throat.
- c. A common bad reaction to Ganja is the “acute panic anxiety reaction”. People describe this reaction as an extreme fear of “losing control” which causes panic.
- d. Regular use of Ganja can develop a strong habit for the drug and may have a hard time limiting their use of it. They often need more of it to get the same effects. Smokers may develop problems with their jobs and personal relationships.
- e. The use of Ganja can influence the levels of some hormones relating to sexuality. Both men and women can have temporary loss of fertility. Women may have irregular menstrual cycles.
- f. The younger the age people starting using Marijuana, the more likely that they will go on to experiment with other hard drugs such as Heroin and Cocaine which are habit forming. When young people start using Ganja regularly, they often lose interest in

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their school work or jobs; this may result in irregular attendance at school or the work place.

g. Ganja can be especially harmful to the lungs because users often inhale the unfiltered smoke deeply and hold it in their lungs as long as possible for maximum effect; the smoke is therefore in contact with tissues for long periods of time and this irritates the lungs, cause damage to lung tissues and can result in chronic lung diseases including cancer of the lung and bronchitis.

h. When Ganja is smoked, THC, its active ingredient is absorbed by most tissues and organs in the body

### **RANDOM DRUG TESTING**

16006. The Guyana Defence Force will conduct Random Drug Testing (RDTs) on its membership in keeping with its 'Drug Policy'. RDTs will be conducted every quarter. The aim of random testing is to:

- a. Discourage substance use and abuse by making testing unpredictable.
- b. To identify current substance users and abusers who can then benefit from mandatory counseling and/or be subject to disciplinary action if needed.

### **PRE-REQUISITE**

16007. Unit Commanders/Departmental Heads are to ensure that the Random Testing Policy is known throughout the Force. Even though these have been published in orders Unit Commanders/Departmental Heads are to ensure that it is communicated during the conduct of formal addresses to the troops under their respective command. The RDT must only begin after every soldier has been informed of the policy.

### **IMPLEMENTATION OF RANDOM TESTING**

16008. In implementing the program of Random Drug Testing, the Medical Corps shall:

- a. Ensure that the means of random selection remains confidential; and
- b. Evaluate periodically whether the numbers of soldiers tested and the frequency with which those tests will be administered satisfy the GDF's efforts to achieve a drug-free work Force.

### **NOTIFICATION OF SELECTION**

16009. A soldier selected for random drug testing, and his/her immediate superior, shall be notified the same day the test is scheduled, preferably, within two hours of the scheduled testing. The soldier's superior shall explain to him that he is under no suspicion of taking drugs but that his name was selected randomly.

### **AMOUNT OF SOLDIERS TO BE TESTED AND FREQUENCY OF TESTS**

16010. The amount of Officers/soldiers who are to be tested every quarter will be twenty-five (25) percent of the Force. All Units/Departments will not necessarily be tested concurrently but rather these may be done individually i.e. a Unit or Department of the Force. Each Unit/Department, however, will be exposed to RDTs at least once every year. The Random Drug Tests will, at times, coincide with Mandatory Drug testing which is meant to be done ninety days after an RDT would have been conducted.

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### **DEFERRAL OF TESTING**

16011. A soldier selected for random drug testing may obtain a deferral of testing if his superior concur that a compelling need necessitates a deferral on the grounds that the soldier is:

- a. On leave (sick, annual, or administrative); or
- b. About to embark on official travel scheduled prior to testing notification.
- c. A soldier whose random drug test is deferred will be subject to an unannounced test within the following 60 days.

### **RECORD OF DRUG TESTS**

16012. OC Med Corps is to create a Register to record the names of Officers/Soldiers who would have been tested randomly. The said Register will also record those Officers/Soldiers who are to be subjected to MDT, as well as when these are to be done.

16013. Additionally, OC Medical Corps is to prepare, and update every quarter the list of soldiers who were found to be positive for the use of illicit drugs. The updated list is to be sent to the COS, Col GS, Col AQ and the SO1 G1. It is the responsibility of OC Med Corps to ensure that MDTs are conducted, as necessary.

### **RESPONSIBILITY: GDF/RANKS**

16014. a. Officers and Soldiers tested positive for the use of illicit drugs, based on Random Drug Testing (RDTs), will be given ninety (90) days to cleanse themselves.
- b. Officers/Soldiers found to be positive for the use of illicit drugs will be placed on a mandatory list for retesting.

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- c. The said mandatory list will be compiled by the Medical Corps and sent to the Col GS, Col AQ, SO1G1 and the CO of the affected Officer/Soldier.
- d. Officers/Soldiers will be provided mandatory counseling and may benefit from rehabilitation, if possible. However, the onus is on the Officer/Soldier to ensure that he/she is fully cleansed of illicit drug use.
- e. The Officer/Soldier will be retested at the end of ninety (90) days.
- f. If at the end of ninety (90) days, the retested Officer/Soldier is found to be positive for illicit drug use, he/she will be dismissed “In the Interest of the Fore’.

16015. Commanding officers are advised to order ‘Mandatory Drug Tests (MDTs) on suspicious ranks under their command, and where necessary initiate measures to conduct RDTs

### **ALCOHOL ABUSE**

16016. a. **General.** In circumstances where operational efficiency and safety may be jeopardised the consumption of even relatively small amounts of alcohol is inappropriate.
- b. **Excessive Drinking.** Excessive drinking is always unacceptable because it adversely affects discipline, efficiency and the reputation of the Force. There are three overlapping categories:
- (1) The Force offence of drunkenness.
  - (2) Drink-related offences.
  - (3) Drinking which, though not related to an offence, may render a Rank less efficient or reliable.
- c. **Persistent Heavy Drinking.** As well as risking punishment for drunkenness and drink-related offences, the persistent heavy drinker is likely to become a real risk to the Force through inefficiency and unreliability. Such conduct will affect his suitability for promotion or advancement and impose other limitations on his career. It may also lead to

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welfare problems constituting an unacceptable administrative burden on the Force.  
Persistent heavy drinking is very likely to result in discharge from the Force.

d. **Responsibilities of Commanding Officers.** Commanding Officers are responsible for ensuring that:

- (1) All under their command are aware of the risks of alcohol abuse and of the requirements of these instructions.
- (2) There is proper control over drinking within their units.
- (3) There is adequate education within their unit on alcohol abuse, including visits by the Force Chaplain and the use of films and publicity material.
- (4) Discipline is maintained and those found guilty of drunkenness are punished appropriately.

e. **Responsibilities of Officers, Warrant Officers and NCOs.** It is the duty of all those in authority, whatever their rank, to discourage excessive drinking and, by example and supervision, to foster a climate of opinion in which such drinking is regarded as unacceptable. Drunkenness and drink-related offences are to be dealt with firmly and excessive drinkers must be identified and reported as soon as possible to enable timely counselling and treatment. Officers in Command are to be especially vigilant with regard to these matters; they are to ensure that alcohol education is a regular feature within their sub units and that counselling is readily available.

f. **Recruits.**

- (1) Recruiting and training staff are to warn all applicants and recruits of the Force's attitude to alcohol abuse.
- (2) Commanders of training establishments are to ensure that all recruits are educated about alcohol abuse and the Force's policy on the subject, including the likely penalties for failure to control drinking.

g. **Drunkenness.** Drunkenness is an offence under section 52 of the Defence Act. A person is drunk within the meaning of section 52 if owing to the influence of alcohol

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or any drug, whether alone or in combination with any other circumstances, he is unfit to be entrusted with his duty or with any duty which he might reasonably expect to be called upon to perform, or behaves in a disorderly manner or in a manner likely to bring discredit on the Guyana Defence Force. All concerned in dealing with drunken persons and with those under the influence of drink are to take steps to prevent injury, and those in authority are to ensure that appropriate measures for the maintenance of discipline are taken. All cases of drunkenness must be seen by the duty/orderly officer or, in his absence, by the duty warrant officer. It is the duty of all personnel to bring offenders to justice and it is a neglect of that duty by any Rank to ignore a man who is drunk and do nothing about it. If possible, they should also be seen by a medical officer or, in his absence, a medical assistant, who is to enquire into the circumstances and examine the man.

h. **Drunkenness Outside of Military Installations.** A Rank who is too drunk to return to his base/barracks without prejudice to good order may be taken to his unit by taxi or other conveyance and the fare recovered from him.

i. **Procedures for dealing with Excessive Drinkers.** The requirement is to identify excessive drinkers before they reach the stage of dependence on alcohol, deal with them firmly and constructively and monitor their conduct until it has returned to a satisfactory state. Action depends on the circumstances of each case, how early the individual is identified, his attitude and the progression of the case. The following general measures are to be considered:

(1) **Counselling.** All cases of excessive drinking should receive professional counselling (including informal warning of the consequences of continued excessive drinking). They should then be referred for a basic alcohol education course.

(2) **Special Measures.** If an individual fails to respond to counselling, special measures appropriate to him, such as withdrawal of approval for a single

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man to live in private accommodation and control of the individual's drinking within the installation, should be considered.

(3) **Formal Warning.** If an individual is approaching the state where he may become an unacceptable risk or an administrative burden he is to be warned formally that his conduct may lead to administrative discharge; this measure may be taken even without prior counselling if he had already become a problem drinker when first identified.

(4) **Referral to Alcohol Treatment.** At any stage, an individual may be referred to a medical officer with a view to referral for further education and or treatment. However, refusal to attend may be considered, together with other factors, as grounds for discharge.

(5) **Records.** Referrals to alcohol education courses or to treatment, failure to respond to counselling and warnings, are to be recorded, except that in cases of genuine self-referral without disciplinary offence or decreased efficiency, recording is a matter for the Commanding Officers discretion.

(6) **Discharges.** If an individual fails to respond to these procedures, an application is to be made for administrative discharge; the application is to include a record of warnings given and referrals for treatment. Service No Longer Required should be the grounds considered if the Rank is unruly or undisciplined. Only in exceptional circumstances, when there is a psychiatric or other illness, will consideration be given to a discharge on the grounds of medical unfit.

j. **Security.** Where an individual is identified as having reached a stage at which his drinking reduces his reliability, the case is to be reported to the Headquarters.

**SPOUSES AND CHILD ABUSE**

16017. a. Spouse and child abuse by Ranks, including acts of domestic violence against such persons, is to be abhorred and prohibited. The Guyana Defence Force will maintain a zero tolerance policy on spouse and child abuse. Where it is detected, the matter is to be reported to the individual's Officer Commanding and Commanding Officer. Commanding Officers are to have all such reports duly investigated and are to have the matter concurrently referred to the Force Medical Officer, the Force Welfare Officer, the Force Chaplain and the Force Legal Officer. Advice is to be sought from these officers as to whether or not the civil police should be notified of the occurrence. All counselling and support systems should be brought to bear on the problem and disciplinary or legal action taken if necessary.
- b. Commanding Officers, the Force Chaplain, the Force Medical Officer and the Legal Officer are to advise the SO1 G1 (Personnel and Administration) of the numbers and basic details of cases of spouse and child abuse coming to their attention, on a monthly basis.

**SMOKING**

16018. Smoking is prohibited as follows:

- a. Whilst in uniform and wearing headdress;
- b. Whilst in vehicles belonging to the Guyana Defence Force;
- c. In areas where 'No Smoking' signs are displayed; and
- d. Whilst driving on military installations.

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## **PERSONNEL POLICY**

### **CHAPTER 17**

#### **HUMAN IMMUNODEFICIENCY VIRUS/ACQUIRED IMMUNE DEFICIENCY SYNDROME**

##### **INTRODUCTION**

17001. HIV/AIDS continues to pose a threat to mankind globally. Its impact on international peace and security has led to significant challenges to development and social progress. Militaries are a highly vulnerable group due to their work environment, mobility and length of time spent from home. These factors encourage risk taking behaviours. The GDF recognises the seriousness of HIV/AIDS epidemic and its impact on the work place and endorses the promotion of abstinence, safe sex, fidelity marriage and strengthening of the family structures and family values as effective lifestyle patterns against the spread of HIV in the work place. The Force will also support all national efforts to reduce the spread of HIV/AIDS and minimise the impact of this disease.

##### **OBJECTIVE**

17002. The purpose of this policy is to ensure a consistent and equitable approach to the prevention of HIV/AIDS among members of the Guyana Defence Force.

17003. More specifically, the GDF HIV/AIDS policy is set out to:

- a. Ensure the continued readiness and deployability of the GDF.
- b. Preserve the health of our officers/ranks/civilians employees and their families by identifying early signs.

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- c. Provide appropriate counseling and Medical Treatment to HIV infected employees.
- d. Maintain superb fitness of officers and ranks for military duty.
- e. To protect our employees who are living with HIV-AIDS, from stigma and discrimination in the work place.
- f. To educate members of the GDF on the prevention, and reduction of HIV/AIDS.
- g. Encourage voluntary testing for members of the GDF.
- h. Develop and enforce a high level of confidentiality.

## **RESPONSIBILITIES**

### 17004. a. **Chief of Staff**

- (1) Serves as the Executive Agent for all HIV policies.
- (2) Ensures that all HIV policies and programmes are implemented effectively, and are generally consistent with those articulated by the national AIDS programme Secretariat and the Ministry of Health.
- (3) Designates a “Point of Contact” to coordinate all administrative, educational and medical aspects of the HIV Programme.
- (4) Designates a Programme Implementer to assist the POC with the implementation of organised educational and medical programmes.
- (5) Designate a programme manager to manage GDF-HAPP.

### b. **Point of Contact**

- (1) Ensures all Units and Department comply with the Force’s HIV Policy.
- (2) Advises the COS on the HIV Programme and its impact on the Force’s personnel.
- (3) Ensures that individual HIV Test results are appropriately safeguarded.

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- (4) Assist the Project Implementer and Project Manager in developing and implementing well defined health education programmes for all GDF employees, their families and other members of the surrounding communities.

b. **Force Medical Officer**

- (1) Provides up-to-date clinical and epidemiological information to the military personnel on HIV/AIDS.
- (2) Advises the COS and Deputy COS on HIV epidemiological information and trends.
- (3) Assists in the development of health education material for military use.
- (4) Advises the COS and Deputy COS on the development and implementation of health education programmes related to HIV/AIDS.
- (5) Provides medical input concerning the HIV testing in the GDF.
- (6) Conduct initial medical evaluation, and physical examinations for all newly identified HIV infected ranks/employees.
- (7) Refer all newly identified cases to the GUM clinic or the St Joseph's Mercy Hospital for care and treatment, and follow- up.
- (8) Provide primary care for all HIV infected employees and coordinate any special care, if required.

c. **Project Implementer**

- (1) Assists in the development of health education materials for use in the GDF.
- (2) Provides and coordinates medical support, notification and counseling of HIV infected ranks and their spouses.
- (3) Ensures that information regarding all HIV test results is appropriately safe-guarded, according to HIV policy.
- (4) Assists in the establishment of a support network of professional personnel (doctors, psychologist, chaplain, nurse, social workers ad medics), trained to

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provide assistance to HIV ranks/employees and either their affected or infected, family members in the areas of support.

(5) Ensures that counselors, testers and laboratory personnel comply with the HIV Testing Requirement.

(6) Provides and coordinates medical support for the notification and counseling of HIV infected ranks and their spouses.

(7) Notify all Unit Commanders with HIV infected ranks about their status.

d. **Unit Comds**

(1) Be knowledgeable of the provisions of this regulation and the medical policy.

(2) Ensures that HIV information is included in Unit training programmes, with emphasis on prevention of infection.

(3) Protects HIV infected ranks/civilian employees from unwanted invasion of privacy by limiting disclosure of the rank's HIV status to only those who need to know, and ensuring that they understand their obligation to protect the confidentiality of that information.

(4) Ensures that HIV infected active rank/civilian employees report for clinical treatment and medical evaluations by the FMO.

(5) Responsible for providing a minimum of ten (10) hours, annually, of HIV/STD education for soldiers under their command.

## **HIV POLICY**

17005. The following are established policies on HIV:

- a. HIV infected persons are not eligible for initial enlistment into the regular or the Reserve Force, as outlined in the GDF Personnel Policy. Information on HIV status of

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personnel seeking to enlist will be communicated to them confidentially and if necessary referrals will be facilitated.

b. An HIV test will be done as part of the medical requirements for initial enlistment/ employment in the GDF.

c. Medical follow up and evaluation will be done periodically for HIV infected persons detected after completion of initial training.

d. Members of the GDF will be encouraged to participate in epidemiological testing programmes.

e. HIV infected employees who demonstrate rapidly progressive clinical illness or immunological deficiency and do not meet the Force's retention standard will be medically boarded according to regulations.

f. Employees found to be HIV infected will be counseled and prevented from donating blood, semen, tissue or body organs due to the high risk of transmission to the recipients.

g. Employees who are diagnosed with HIV will be treated no differently than other employees. They will be permitted to work so long as their performance is acceptable and do not pose a safety or health threat to themselves or others.

h. The GDF will assist employees living with HIV/AIDS to find appropriate medical services in the community, as well as counseling services and professional support if required. Reasonable time off will be given for counseling and treatment.

i. All information regarding HIV test results will be handled in a manner to prevent unauthorised access to the said information. Access to such information will be permitted only to those individuals who need to know.

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- j. The GDF acknowledges all existing National and International legislations prohibiting discrimination and outlining the safety procedures and protection of health workers.
- k. All HIV testing will be done at the VCT sites or through mobile outreach activities. These sites will also be used for the conduct of other tests.
- l. The GDF is committed to maintaining a safe and healthy working environment for all of its employees. This organisation also recognises that HIV infection is unique, and should be treated like any other chronic diseases or illnesses.
- m. The GDF will promote voluntary partner notification by persons living with HIV and will provide counseling for HIV infected personnel and their partners as outlined in the partner notification clause of the Guyana HIV/AIDS Policy. However, if a HIV positive person refuses to engage in partner notification then the FMO with consultation with the COS will exercise the right to make an ethical decision based on the case.
- n. GDF will establish support groups for employees living with HIV AIDS.
- o. Members of the GDF identified as HIV positive will not be deployed overseas for lengthy operational engagements, nor shall they attend any overseas military course of long duration. They may attend short courses locally provided these do not entail a liability of greater than one (01) year.
- p. On application, a member of the GDF who is HIV positive may be discharged on compassionate grounds.
- q. HIV positive GDF personnel who demonstrate progressive clinical illness of immunodeficiency as determined by medical authorities may not meet medical standards for retention in the Force and will be evaluated by the Medical Board.
- r. Such individual if discharged on medical grounds may be recommended for disability benefit providing the Medical Board at paragraph 4 a (17) found that the manner in which they contracted the disease was beyond their control.

**HIV/STD PROGRAMME FOR THE GUYANA DEFENCE FORCE**

17006. One of the few encouraging aspects of the AIDS epidemic is the recognition that the curtailment of further transmission of the disease is possible. The Unit programme is intended to supplement HIV/AIDS education provided by the Medical Corps, and will give soldiers the information needed to avoid behaviour that carries a high risk of HIV transmission.

17007. Commanders will be responsible for providing a minimum of ten (10) hours annually of HIV/STD education for ranks under their command.

17008. At least two (02) hours of HIV/STD education shall be included in the training programme for recruits both Regular and Reserve. At the minimum, the following topics are to be included:

- a. Knowledge of the means of transmission.
- b. Knowledge of the means of preventing transmission e.g. condoms use and abstinence.
- c. Knowledge that HIV/AIDS cannot be transmitted by casual contact.
- d. Knowledge of the epidemic in Guyana and world-wide.
- e. Knowledge of specific ways to protect oneself from the virus by avoiding high- risk behaviour.
- f. Knowledge of the consequences of acquiring the virus, i.e. the progression of the disease, signs and symptoms.
- g. Knowledge of the testing policies and procedures.
- h. Knowledge of the test for HIV infection.
- i. Knowledge of the GDF policy as regards to HIV/AIDS, discharge, promotion etc.
- j. Knowledge of and development of programmes geared at behavioural

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changes, and surveillance.

### **MEDICAL TREATMENT POLICY**

17009. HIV infection has no cure at present therefore the use of drugs are mainly to control and keep the viral load very low and to eradicate or minimise opportunistic infections. The Medical Corps of the Guyana Defence Force (GDF) does not have a treatment center unit for the management of HIV/AIDS patients. Therefore, we do not stock antiretroviral drugs needed to combat the infection so as to prolong life. All patients are referred to established treatment centers. As an organisation, we believe in taking care of our own thus is our goal to established a treatment centre at Base Camp Ayanganna and to stock antiretroviral and other medications to manage this disease, sometime in the further. Primary health care treatment will be provided to all military and civilian workers infected with the HIV/AIDS.

### **POLICY**

17010. a. Military and civilian staff and their immediate relatives will be treated at Medical Centers throughout the Force.
- b. All medical information records will be kept confidential.
- c. All treatment guidelines set out in the National Policy will be followed strictly.
- d. Medical training will be sought for personnel working in the Unit, from National /Overseas centers.
- e. Referral system will be established between GDF Medical Centre and other National treatment centers.
- f. Socio-economic support for patients in need of such assistance will be given help to maintain food nutritional status.

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- g. Laboratory services will be up graded to meet the needs of the Unit in accordance to the National Policy programmes.
- h. Counseling and testing will be provided on a continuous basis.

### **PROTECTION OF HUMAN RIGHTS**

17011. The GDF recognises that the need to safeguard human dignity, in the context of HIV/AIDS, is essential and has the responsibility to protect its employees' rights in keeping with both national and international standards, thus:

- a. All HIV positive employees regardless of their race, religion, gender have the right to the best quality of health care available without being subjected to any form of discrimination.
- b. Employees tested positive for HIV should alert his/her partner/spouse of his or her status prior to having sex.
- c. No employees will be removed from his/her present appointment on the basis of HIV infection except where such status is directly related to their safety and performance on the job. If an infected individual is unable to continue with normal employment the medical boarding procedures of the GDF will be applied.
- d. Infected soldiers/civilian employees of the GDF will be only granted sick leave treatment or a change of working environment based on the recommendation from the Force Medical Officer.
- e. GDF will promote and facilitate access to VCT services for all employees and potential employees. All VCT sites will comply with the accepted national and international standards on pre and post test counseling, informed consent, confidentiality and support.

### **EPIDEMIOLOGICAL TESTING**

17012. Testing programmes for epidemiological purposes will be subjected to appropriate consultation with recognised employee representatives, and to independent and objective evaluation and scrutiny. All testing will be anonymous. The results of epidemiological studies will not be used as basis for discrimination against any class of employees in the Guyana Defence Force. In cases where employees wish to know their HIV status as a result of their participation in anonymous epidemiological testing, voluntary confidential counseling and testing will be assured.

17013. The results of testing programmes will not be used against individuals or groups. Such information will not be considered anonymous if there is reasonable possibility that a person's HIV status can be ascertained from the results of any tests conducted. Therefore, testing programmes will not be permitted under such circumstances.

### **ACCOMMODATING PEOPLE LIVING WITH HIV/AIDS**

17014. The GDF will undertake, whenever possible and feasible, to facilitate any PLWHA with a change of working environment. This will enable the PLWHA to remain a member of the GDF for as long as physically possible. The GDF recognises that it has no obligation to provide any accommodation or adjustment for PLWHA that will impose any undue hardship on other members of the Force itself or the Force's resources.

### **PERFORMANCE STANDARDS**

17015. AIDS will be treated like any other life threatening diseases and members will continue to work with the GDF, for as long as this condition allows. However, the GDF has a

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right to require acceptable performance standards from all its members to ensure that PLWHA are not employed in a manner that threatens their own safety or the safety of others. Accordingly the GDF will ensure that all reasonable accommodations will be made to facilitate the ranks that are PLWHA, but will reserve the right to:

- a. Discipline a PLWHA
- b. To declare a PLWHA unfit for military service if this person is no longer able to function in the work environment as a direct result of his/her illness.

### **CONFIDENTIALITY**

17016. a. The GDF recognises the sensitive issues that surround HIV/AIDS and will keep all HIV information about soldiers and ranks strictly confidential.
- b. Unit Comds are to ensure that information relating to counseling, testing care and treatment is kept confidential.
- c. All medical personnel of the Med Corps who may be privy to information on the condition of a HIV infected rank/civilian must hold this information in the strictest of confidence, which a patient places in them.
- d. The Med Corps will establish a system for complaints, mechanisms to investigate complaints of breaches in confidentiality and provide for serious sanctions.

### **MISUSE OF CONFIDENTIALITY**

17017. There must be absolutely no misuse by the any HIV infected rank of the policy governing confidentiality. "Misuse of confidentiality" in this context is defined as an infected rank who knowingly engages in reckless sexual behaviour with someone who is unaware of his/her status. An infected rank that is inclined to engage in sexual activity must, prior to such act, inform his partner of his/her status and advise her/him of the consequences of having unprotected sex. The

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infected rank who knowingly engages in reckless sexual activity without first notifying his partner will be dismissed from the Guyana Defence Force and, possibly, face criminal action within the civil courts.

### **AWARENESS – RAISING EDUCATION**

17018. Appropriate awareness and educating programmes will be conducted to inform Employees about HIV and AIDS, which will enable them to protect themselves and others, against HIV. All programmes will take into consideration the needs of both sexes. Some of these will include the families of employees and the local community when possible.

17019. The GDF recognises the importance of involving employees and their representatives in the planning and implementation of awareness, education and counseling programmes, especially as educators, peer educators and counselors.

17020. Practical measures to support behaviour change and risk management will include referral for Sexually Transmitted Infection and Tuberculosis treatment services in the community, and distribution of male and female condoms.

17021. Training will be arranged for various ranks of both medical personnel and non-Medical, Trainers of trainers (both male and female), educators, peer educators and occupational safety and health officers within the GDF.

17022. Reasonable time off will be given, when it is deemed necessary for participation of employees in education and training about HIV/AIDS, and related health matters.

### **CARE AND SUPPORT**

17023. The GDF recognises that care and support are critical interventions against HIV/AIDS. The GDF will encourage openness and acceptance, and provide moral support for its members living with HIV/AIDS. The GDF will develop regulations aimed at preventing such persons from being discriminated against, or stigmatised once they have chosen to disclose their status.

17024. The GDF will provide counseling to its members who are infected, and affected by HIV/AIDS. This service (counseling) may be expanded to include family members and dependants.

### **PREVENTION MEASURES**

17025. The following measures will be enforced:

- a. All medical personnel will be informed that syringes, needles and other skin piercing instruments must not be re-used, and must be disposed of properly.
- b. All surgical, dental and other equipment used for invasive procedures which are normally re-used must be properly sterilised after each use as stipulated by MOH.
- a. Condoms will be made available to all employees of the Force.
- b. Safe sex will be emphasised.
- c. Abstinence will be urged.

### **PARTNERSHIPS: IMPLEMENTATION AND MONITORING**

17026. The Guyana Defence Force is supportive of government's multi-sectoral approach to HIV/AIDS and is committed to forming partnerships and collaborating with local, regional and international Governmental and Non-Governmental Organisations. The GDF's focus will be

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aimed at ensuring that there is effective coordination and implementation, monitoring and evaluation of its HIV/AIDS policy and programmes.

17027. The strategy of developing partnerships is intended to achieve the common goal of prevention and reduction of sexually transmitted infections and HIV/AIDS through behavioural change among members of the GDF.

### **SUMMARY**

17028. The implementation of this policy will conform to the Guyana Defence Force's normal disciplinary and grievance procedures. Confidentiality will be assured during any and all procedures.

17029. In order to plan and evaluate its HIV/AIDS policy and programme effectively, the GDF will undertake a survey to establish baseline data and regular risk and impact assessment studies. These studies will include knowledge, attitudes and behaviour practices (KAB/P) and will be carried out in consultation and with the consent of employees and their representatives, and in conditions of complete confidentiality.

17030. This policy will be reviewed annually and revised as necessary in the light of changing conditions and the findings of surveys/students conducted.

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**PERSONNEL POLICY**  
**CHAPTER**  
**GENERAL LEGAL MATTERS**

**PART 1 – JURISDICTION**

**GENERAL**

18001. Jurisdiction in respect of offences by members of the Guyana Defence Force may lie either with the GDF authorities under the Defence Act or with the civil authorities under the ordinary law, or it may lie with both; in the last case, the issue is subject to rules which differ at home and abroad. Before charges are brought it is necessary to consider carefully, according to the circumstances, where jurisdiction lies as to the offence and the place in which and the time at which it was committed. Attention is drawn to the Manual of Military Law, and the texts of the relevant Acts and the regulations made under them.

18002. In general, jurisdiction lies as follows:

a. **In Guyana:**

- (1) Wholly with the GDF authorities where the offence is against Military Law only, e.g. disobedience of a lawful command, or desertion;
- (2) Wholly with the civil authorities where the offence is treason, murder, manslaughter, treason-felony, rape, genocide or aiding, abetting, counselling or procuring suicide;
- (3) With both the GDF authorities and the civil authorities where the offence is not one to which (1) or (2) applies; for the rules which determine in a particular case which authorities shall exercise jurisdiction see paragraph 18003.

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b. **Abroad:**

- (1) Wholly with the Military authorities where the offence is against military law only but subject, in a foreign country or independent country within the Commonwealth, to the law of that country or the terms of a treaty or agreement permitting the Military authorities to exercise such jurisdiction;
- (2) Wholly with the civil authorities where the offence is an offence solely under the local law;
- (3) With both the GDF authorities and the civil authorities where the offence is an offence against both military law and the law of the country concerned; subject, in a foreign country or independent country within the Commonwealth, to the law of that country or the terms of any treaty or agreement permitting the Military authorities to exercise jurisdiction; in such circumstances it will be the local law or the terms of the treaty or agreement which will decide in a particular case which authorities shall exercise jurisdiction;
- (4) In the case of a Force which is forming part of a United Nations Force occupying former enemy territory, jurisdiction generally lies exclusively with the authorities of the Force.

**JURISDICTION IN GUYANA**

18003. In Guyana a person subject to military discipline may be tried for certain civil offences by either the military or the civil authorities. The following paragraphs indicate how such cases are to be proceeded with.

18004. In most cases where it is necessary to involve the civilian authorities, a Commanding Officer should report the circumstances to the Senior Officer of Police for that area.

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18005. In addition to reporting those cases excluded from GDF jurisdiction, a Commanding Officer is to report to the Senior Officer of Police for that area, at the earliest possible moment, the following cases where the offence is alleged to have been committed by a member of the Force:

- a. Any case of death or serious injury likely to lead to death, which may justify a charge of murder or manslaughter;
- b. Any serious sexual assault which may afford grounds for a charge of rape;
- c. Any other case where civilians are involved;
- d. Any traffic offence which occurs on roads to which the public has access or in public places where these roads or places are outside the boundaries of any military establishment; and
- e. Any other offence which may require to be dealt with by the civil authorities, for example, because it is one of a category of offence of importance to the community either locally or nationally.

18006. Where jurisdiction lies with either the GDF or the civil authorities, (including cases which come to the notice of the Police direct as well as those reported to them), the following should be noted.

18007. In cases reported to the Police for that area it is for the Senior Officer of Police to decide, (normally after consultation with the Colonel General Staff through the Commanding Officer), whether the alleged offender is to be tried by the Civil Court or is to be dealt with by the authorities of the Service.

18008. In making his decision, the Senior Officer of the Police for that area, in consultation with the Commanding Officer, will take into account the general principle that an offence, whether committed on Office of the President property or premises or not, which affects the person or

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property of civilians should normally be dealt with by a Civil Court but that an offence which involves only military personnel, their property or Service property should, unless specifically excluded from GDF jurisdiction, normally be dealt with by the authorities of the Force.

18009. The Senior Officer of Police will, however, also take into account the following qualifications:

- a. If the alleged offence is committed by a member of the Force who is about to be sent overseas, the Police will normally hand the individual over to the Military authorities unless it is a serious offence or one specifically excluded from the jurisdiction of the Military authorities or the circumstances are otherwise exceptional;
- b. If the alleged offender was on duty at the time and the offence constituted a breach of that duty, the Police will normally hand him over to the Military authorities even though the offence may affect the property of a civilian. This would not apply to a charge such as dangerous driving which involves risk to the general public;
- c. The military authorities will generally deal with an offence committed by a member of the Force on military premises, if it can be dealt with summarily, and was either a minor assault on a civilian or a minor offence against the property of a civilian;
- d. If a military offender has a civilian accomplice, proceedings against both will normally be taken in a Civil Court; and
- e. If the alleged offender is already the subject of a suspended sentence, a probation order, an order for conditional discharge or some other form of binding over by a Civil Court, any further offence will be required to be brought to the notice of the civil authorities notwithstanding that it would otherwise normally be dealt with by the military authorities.

18010. A person subject to Military law who has been acquitted or convicted of an offence by a Civil Court, or has had an offence committed by him taken into consideration by a Civil Court,

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cannot thereafter be tried under the Defence Act for an offence which is substantially the same as that offence. Likewise, if a person has been acquitted or convicted of an offence, or has had an offence taken into consideration, when on trial under the Defence Act, a Civil Court is debarred from trying him thereafter for an offence which is substantially the same as that offence. These provisions, which follow the common law principle that a person may not be put in jeopardy twice for the same offence, should be borne in mind by Commanding Officers when seeking to agree with the Senior Officer of Police by which authority a case should be tried.

18011. No attempt is to be made to persuade the Police to accept for trial in a Civil Court a case which should, in accordance with these principles, be tried by the military authorities or to persuade a Civil Court to hand over an offender who has been brought before it.

18012. If the Colonel General Staff considers that the alleged offender should be tried by the military authorities but the Police decide otherwise, he is to make a written request to the Senior Officer of Police to convey the decision to him in writing so that it may be kept with the Force records of the case.

18013. When an individual is handed over by the Police to the military authorities the Commanding Officer is in due course to inform the Police of the result of the case.

### **JURISDICTION IN COMMONWEALTH AND FOREIGN COUNTRIES**

18014. When Guyana Defence Force personnel are stationed in Commonwealth or foreign countries, or members of the Force are serving on loan or otherwise with the Forces of such countries, it is the policy of the Government to secure arrangements which protect members of the Force, the civilian component, and their dependants from the jurisdiction of local military law and from the criminal jurisdiction of local Courts. In some cases exclusive jurisdiction for

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the Guyana military authorities is sought; elsewhere it is sought in respect of offences committed on duty and in certain other circumstances. Such arrangements are usually made by provisions included in Defence Agreements, Status of Forces, Loan or Training Team Agreements, and the Visiting Forces Act.

- a. When personnel are placed at the disposal of a Commonwealth Force under the Commander in Chief's orders, jurisdiction lies with the Commonwealth Military authorities.
- b. Information and advice on the provisions which apply in any particular country should be sought from the Force's legal advisers or from the Guyana Embassy or High Commission in the country concerned.

### **JURISDICTION IN SECURITY CASES WORLD WIDE**

18015. In cases where there has been a breach of security and it appears that:

- a. The offence could involve damage to the public interest: or
- b. The Offender could have been acting for a purpose prejudicial to the interests of the State;
- c. The Commanding Officer of the accused is immediately to refer the case to the Defence Board through the Headquarters for a decision on reference to the civil authorities.

## **PART 2 – LEGAL ADVICE AND PROCEEDINGS**

### **LEGAL ADVISERS**

18016. a. **Civil Matters.** The legal adviser to the Office of the President on civil matters in Guyana is the Attorney General

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- b. **Criminal Matters.** For criminal matters the legal adviser to the Office of the President in Guyana is the Attorney General
- c. **Military law and Procedure.** Advice on military law is provided for the Force by the Force Legal Officer at the Headquarters.
- d. **Outside the Guyana.** In some countries overseas legal advisers to the Office of the President are appointed; advice may be sought in independent Commonwealth and foreign countries from the local Guyana Diplomatic Representative, who should be asked to recommend a local lawyer. The Attorney General's approval of such recommendations should be obtained through the Office of the President.

### **LEGAL ADVICE**

18017. a. **Guyana.** When legal advice is required a clear and concise statement of the facts of the case on which opinion or action is sought is to be sent to the Office of the President. In cases of urgency where legal proceedings against the Force or against a member of the Force are imminent, a direct approach may be made to the appropriate legal adviser (*see paragraph 18016*). In this event a report of the action taken and a statement of the facts of the case are at the same time to be sent direct to the Office of the President.
- b. **Outside Guyana.** When legal advice is required it is to be obtained from the legal adviser to the Office of the President; or, where such an adviser has not been appointed, from the person recommended under the procedure set out in *paragraph 18016*.

### **LEGAL PROCEEDINGS AGAINST MILITARY PERSONNEL**

18018. a. When an individual is likely to be made defendant in civil or criminal proceedings, or to be the subject of a claim against the Office of the President, arising out

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of an act which was sanctioned by military authority or which occurred in the course of his duty, he is at once to report the matter to his Commanding Officer;

b. On receipt of a writ, summons or other legal document naming a rank as a defendant in the circumstances mentioned in *a* above the Commanding Officer is to take action as follows:

(1) **In Guyana**

(a) A copy of the legal document is immediately to be sent to the Legal Officer at Defence Headquarters;

(b) A full statement of the facts is to be sent with the legal document whenever possible, but the forwarding of the document must not be delayed on this account; and

(c) Further action is to be taken only on the instructions of the Force Legal Officer.

(2) **Outside Guyana**. Communication is to be made with the senior Officer of the Guyana Defence Force in the country who will, as necessary, seek legal advice and inform the Headquarters. Where there is no senior Officer the matter is to be reported immediately to the respective Commanding Officer who will then inform the Headquarters. Typical examples of cases, which may arise, are:

(a) Military Personnel might be made defendants in legal proceedings as representatives of the Office of the President in certain circumstances where local legislation authorizes such a course;

(b) Military personnel might be sued in a personal capacity arising out of the performance of Service duties; or

(c) Criminal proceedings might be instituted against a Rank for an offence arising out of the performance of Service duties.

c. The cost of defence will usually be borne by public funds unless there are any circumstances which make this course undesirable, e.g. because the act though committed

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in the course of duty was quite outside anything which the defendant could reasonably have supposed he was required to do. When the legal proceedings concern acts committed otherwise than in the course of official duty, defence will not normally be undertaken at public expense; but in doubtful cases, where for example a defendant has become involved in a serious criminal charge through exceeding his official duty, consideration may be given to bearing the cost at public expense when the defendant clearly acted without a malicious or other improper motive.

**LEGAL PROCEEDINGS AGAINST THE OFFICE OF THE PRESIDENT**

18019. When legal proceedings (including arbitration proceedings) are instituted against the Office of the President the procedure is as follows:

- a. **In Guyana.** The Commanding Officer is to take the same action as set out in *paragraph 18018*.
- b. **Outside Guyana.** The relevant facts are to be reported immediately to the senior Officer who will notify the Headquarters and forward a full statement. Further action is to be taken as directed by the Office of the President but the senior Officer overseas, after consulting the appropriate legal adviser, is to take whatever action is necessary to protect the interests of the Office of the President pending receipt of instructions.

**INSTITUTION OF LEGAL PROCEEDINGS ON BEHALF OF THE OFFICE OF THE PRESIDENT**

18020. a. The institution of civil proceedings (including arbitration proceedings) on behalf of the Office of the President is to be undertaken only on the authority of the Defence Board. The Board is to be informed of any occurrence which might form the basis of such proceedings and a full report, with supporting documents and copies of any legal

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advice that may have been obtained, is to be forwarded to the Office of the President; and

b. Normally, criminal proceedings against persons not subject to Military law would be instituted by the civil authorities. If the latter do not wish to take action and the military authorities still consider prosecution desirable, the facts should be reported and instructions sought as in *sub-para a*.

**ATTENDANCE OF PERSONNEL AT CIVIL COURTS**

18021. a. When an individual receives, otherwise than through his Commanding Officer, a summons issued by a Civil Court in respect of an offence, he is to report the matter immediately to his Commanding Officer in order that the necessary arrangements may be made for his attendance at the Court and for other relevant Service action to be taken as prescribed in current Instructions. He is also to inform the Commanding Officer if he intends, where appropriate, to plead guilty;

b. If, at a time when required to attend in person at a Civil Court in whatever capacity, the individual concerned is (or expects shortly to be) under orders to proceed outside Guyana or otherwise outside the jurisdiction of the Court, he is to inform his Commanding Officer without delay. The Commanding Officer is immediately to notify the facts to higher authority. Anyone who proceeds outside Guyana without advising his Commanding Officer that he is to attend Court may be called upon to bear any expenses which may result;

c. Except when on duty under arms, military male personnel in a Civil Court are not to wear their headdress while the judge or magistrate is present; and

d. Male personnel are to have the head uncovered whenever they take the oath.

**SERVICE OF WRITS, SUMMONSES OR OTHER PROCESSES IN GUYANA**

18022. a. Military authorities are not responsible for the service of process on personnel who are concerned in their personal capacity as a party to legal proceedings in the Civil Courts, but Commanding Officers may nevertheless assist attorney at laws to the extent described below;

b. If the individual is serving in Guyana he is to be told of the process and, if he is willing to accept service, mutually agreeable arrangements are to be made for him to meet the process server. If the individual is unwilling to accept service he is to be advised that other means of service may be available, the cost of which he may have to bear if he is the unsuccessful party in any subsequent action. If he nevertheless persists in refusing to accept service the attorney at law is to be advised that the Commanding Officer can do no more to assist; and

c. The Commanding Officer is to provide the same assistance as in *b* above if the individual is serving abroad, provided the attorney at law has obtained leave of the Court to serve process overseas. Otherwise, the attorney at law is to be informed that no assistance can be given pending the individual's return to Guyana, the approximate date of which may be given.

**EVIDENCE ON MILITARY MATTERS OR EXPERT EVIDENCE**

18023. a. Attorney at laws may sometimes ask members of the Force to assist them by giving evidence relating to military matters or to other Military Personnel, to produce official documents, or to give expert evidence on military matters in connection with proceedings or arbitrations not concerning the Office of the President. When a general authority has already been issued by the Office of the President permitting the evidence required to be given or the Service documents to be produced the request may be met. If

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no such authority exists, or if despite the authority the person concerned has doubts about the propriety of what he is being asked to do, the request is to be referred to higher authority. The attorney at law is to be told that such a submission has been made, and that a reply will be given as soon as possible.

b. If a subpoena is issued requiring an individual to give evidence on official matters or to produce official documents in the Court, action is to be taken immediately in accordance with *para 18018 b*. The Commanding Officer is to take all necessary steps to ensure that the instructions of the Office of the President are available to the individual when he attends the Court.

### **LEGAL PROCESS - INDIVIDUAL LIABILITY**

18024. Commanding Officers are reminded that in Guyana an individual must attend Court when summoned to do so; if he does not attend he may be prosecuted for contempt and action may also lie against anyone who sought to prevent his attendance. Abroad the position is not necessarily the same and Commanding Officers should be guided by the appropriate legal advisers. It is open to Commanding Officers to ask the civilian authorities to adjourn a hearing, on the grounds that the date chosen is particularly detrimental to the Service interest, but permission must nevertheless be given for the individual to attend if the summons has not been cancelled by the time it falls due to be answered.

### **REQUESTS FOR INFORMATION FOR LEGAL PURPOSES**

18025. a. Requests for information, documents or records concerning Force matters or members of the Force which are received from attorney at laws or others in Guyana in connection with actual or potential litigation or criminal proceedings are to be submitted to the Headquarters and the enquirer is to be informed of the action taken.

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- b. Overseas, Commanding Officers should submit the request to the senior Officer who will, as necessary, consult the local legal adviser. Where there is no senior Officer, Commanding Officers are to consult the Headquarters as to the action to be taken.

**INQUIRIES INTO DEATHS IN GUYANA**

18026. a. When an Officer or Soldier dies violently, unnaturally or suddenly from an unknown cause while in his Unit or establishment, his death is to be notified by the Colonel General Staff / Commanding Officer without delay to the Coroner through Defence Headquarters so that he may decide whether an Inquest is necessary. The Colonel General Staff / Commanding Officer is to inform the Coroner of all the circumstances of the case, to provide him with the names of any witnesses and to ensure that Service witnesses and a Service representative are in attendance at the time and place the Coroner may appoint for holding the Inquest;
- b. A coroner is required to hold an Inquest on the body of any person who has died violently, unnaturally or suddenly from an unknown cause. If the body of anyone who has died in this way at sea is brought into a port, airport or airfield the Commanding Officer is to report particulars to the Coroner and to take such action as would have been taken had death occurred on land in Guyana;
- c. (1) Legal representation may be desirable at Inquests' on the following:
- (a) The death of a Rank on duty;
  - (b) The death of a Rank on leave, if murder or suicide is suspected;
  - (c) Any death occurring on Office of the President property; or
  - (d) Any death if the circumstances are likely to give rise to legal proceedings involving the Office of the President or to criticism of the

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Office of the President or the Service;

(2) In such cases the Commanding Officer must immediately inform the Headquarters, and send a full statement of the case as soon as possible.

d. When the Office of the President is legally represented, the legal representative is to be shown the full transcript of any Board of Inquiry proceedings which may have been held, including the report of the Board if this is available, and is also to be given all such further information as he requests or as is thought necessary. The legal representative is responsible on behalf of the Force for all arrangements connected with the conduct of the Inquest and apart from the initial action required under subparagraph *a* the Colonel General Staff / Commanding Officer should refer to him any such questions raised by the Coroner. The legal representative's report of the Inquest is to be forwarded through the Headquarters to the Office of the President;

e. The Commanding Officer should ensure that an Officer acquainted with the facts attends the Inquest into the death of any member of the Service. In cases where the Office of the President is not legally represented, that Officer is to furnish a brief report on the proceedings which is to be forwarded through the Headquarters to the Office of the President, including any known Next-of-Kin in attendance, any unusual details/circumstances, and the verdict of the Coroner. If an Inquest is likely to attract public or Press interest or to involve the disclosure of classified information, the Office of the President should be so informed, as well as the legal representative, so that the need for special instructions may be considered;

f. The Inquest and the Board of Inquiry into the same incident should proceed independently. If a Coroner asks to see the report of the Board of Inquiry the senior Officer should immediately report the request to the Headquarters, which will arrange for instructions to be issued to the legal representative; and

g. The Commanding Officer must ensure that Next-of-Kin of the deceased receive

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advanced notification of the time and place of the Inquest. Such advice is also the official responsibility of the Police or Coroner's Officers who are to be given particulars of the Next-of-Kin by the Commanding Officer so that action may be taken to inform them. If it is likely that the Inquest will be unduly delayed, the Commanding Officer should inform the Force Legal Officer accordingly.

### **INQUESTS ABROAD**

18027. a. In countries abroad where Inquests or similar inquiries into the cause of death are held Commanding Officers are to report to the appropriate civil authorities through Defence Headquarters;
- b. Where legal representation is permitted and the case falls under *18026 d*, legal advice and, if necessary, legal representation should be sought in accordance with *paras 18017 - 18018*;
- c. The holding of a Civil Inquiry does not preclude a Board of Inquiry being convened;
- d. The holding of an Inquest or Civil Inquiry abroad does not preclude the possibility that a further Inquest will be held in Guyana if the body is repatriated; and

### **BAIL ABROAD**

18028. a. Where Military Personnel charged with criminal offences abroad can obtain release from custody on providing bail, the senior Officer in the country may, on approval from Defence Headquarters, if necessary, make advances from public funds in respect of the sum required for bail and any incidental fees. Each case is to be considered on its merits, depending on the nature of the alleged offence and the character of the person concerned;

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- b. The following conditions apply:
- (1) The individual concerned must be unable to find the money himself or obtain it from any other source;
  - (2) There is to be no unreasonable risk that the recognisance might be forfeited;
  - (3) The Officer or Soldier concerned is to sign an acknowledgement at the time when the bail is paid into Court that he has received the loan, which is repayable on demand, and that immediate recovery may be commenced by deduction from his pay by instalments. He is also to acknowledge that upon return of the bail money or any part thereof he will then pay such money to the Force or such part thereof as may be required to repay the loan and in the event of forfeiture of the bail the amount outstanding shall be immediately repaid, unless forfeiture was caused by persons outside his control, in which case recovery should be by monthly instalments over a period to be prescribed;
  - (4) Action is to be taken by the Commanding Officer of the individual concerned to ensure that the bail money is duly handed over to the Court authorities at the appropriate time and, whenever such procedure permits, in the presence of the Officer or Soldier concerned; and
  - (5) The bail money must be paid to the Court by or in the name of the individual concerned and not in the name of the Service or of the Commanding Officer of any other person.
- c. Bail should only be advanced if it is in the interests of the Service that the individual concerned be released from custody of the overseas Court. Bail should not be advanced if there is a likelihood of the individual's discharge from the Service before the debt could be repaid.

**AFFIDAVITS AND STATUTORY DECLARATIONS**

18029. Outside Guyana, Officers of the Regular Force of or above the rank of Major (or Legal Officers of the rank of Captain) are not empowered in certain circumstances to take affidavits and statutory declarations from members of the Force or of a civilian component of the Force.

**CERTIFICATION OF LEGAL COSTS ABROAD**

18030. When the Office of the President or a member of the Force has been advised or represented at places abroad in accordance with the preceding Instructions, the bill in respect the Lawyer's fees is to be dealt with as follows:

- a. It is to be endorsed before being passed for payment locally or before dispatch to the Office of the President, as indicated in *c* below, with a certificate from the Instructing Officer to the effect that he gave instructions for the work to be performed, and that the work was done by the lawyer in accordance with instructions. The amount of time spent by the lawyer should always be indicated on the certificate if it is not already stated on the bill;
- b. The bill is to be taxed locally before it is passed for payment. (Taxing in this context means certification by an official of the Court that the lawyer's costs are reasonable for the work performed.); and
- c. Where the bill cannot be taxed locally because there are no facilities for this to be done, the bill together with all disbursements, which are to be separately vouchered, is to be forwarded to the Office of the President, which will obtain the authority for local payment of the bill.

**PART 3 - LEGAL ASSISTANCE (INCLUDING ADVICE)**

**LEGAL ASSISTANCE FOR INDIVIDUALS UNDER FORCE ARRANGEMENTS**

18031. a. **Criminal proceedings.** Legal assistance, i.e. representation by a civilian attorney at law or counsel (**may in appropriate cases be made**) is not available through Force channels:

- (1) For the defence of ranks, members of the civilian component and dependants charged before criminal Courts abroad (but for offences committed on duty, see *paragraph 18018*);
- (2) For the defence of Ranks charged before Courts-Martial;
- (3) For the defence of civilians subject to Military law who are charged before Courts-Martial abroad; and
- (4) For the preparation of petitions, including appeal petitions and for the settling of grounds of appeal in respect of persons convicted by Courts-Martial. Each applicant is required to pay such contribution towards the cost of legal assistance as may be decided.

b. In an appropriate case, representation by a Force Legal Officer may be provided for an accused appearing before a Court-Martial, if the accused so wishes and if a suitable Officer is available for that duty;

c. **Non criminal proceedings (i.e. matrimonial matters, traffic claims, etc).** The Force provides legal advice for ranks abroad and at home, in legal matters of a non criminal nature, i.e. matrimonial matters, traffic accident claims, etc. Help is also given to Next-of-Kin who may have a legal cause of action as the result of the death of a Rank. Advice given by Military lawyers is free of charge. The Force does not, however, provide financial assistance to cover travel to and from legal aid offices or other expenses and

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fees, e.g. the cost of obtaining marriage certificates or other evidence and the fees of inquiry agents or attorney at laws;

d. The assistance referred to in *c* above includes assistance in the preparation of a claim which may arise out of injuries sustained whilst on duty. Advice may also be provided outside Guyana, to a Rank suspected of a serious offence. Apart from these exceptions, the assistance referred to in *c* above does not cover any claims made by a Rank against the Office of the President or any other Government department, any matter concerning discipline, Courts-Martial (other than preliminary evidence given prior to a possible application for legal assistance), pay and allowances or on matters affecting the Rank in his capacity as such;

e. The assistance referred to in *c* above does not cover any claim made by a Rank on duty against any Rank on duty, any claim against the Office of the President or any other Government department, any matter concerning discipline, Courts-Martial, pay allowances, or on matters affecting the Rank in his capacity as such; and

f. Commanding Officers are to ensure that those under their command are acquainted with current Instructions on this subject and to advise those in need of legal assistance, including Next-of-Kin, to seek it without delay. They are to see that persons sent home for medical treatment as a result of injuries sustained in accidents, etc, are made aware, if appropriate, of the address and telephone numbers of the Headquarters Guyana Defence Force Legal Service Department.

### **LEGAL AID**

18032. The legal services available to members of the Force are classified as non contentious legal matters. This involves advising persons not involved in a civil dispute with another party such as undefended legal matters e.g. administration and probate of estates; and the drafting of documents e.g. contracts, deeds, affidavits and wills.

#### **PART 4 – COMMON LAW CLAIMS AND INTRODUCTION**

18033. This section deals with claims at common law made against the Office of the President or its servants in respect of damage to or loss of property and for personal injury or death caused or alleged to be caused by the Office of the President or its servants. It also deals with common law claims brought by the Office of the President against other parties. It does not deal with claims arising from purchase or other contracts, claims for awards under Warrant, Order in Council or Order of His Excellency relating to disablement or death, or claims and recoveries allowable under departmental regulations.

#### **MUTUAL WAIVER OF CLAIMS**

18034. Claims for compensation in respect of loss or damage, if received from or proposed to be made against other Forces, other Governments or other Government Departments, may be the subject of a special agreement or mutual waiver and should be referred to the Office of the President with all supporting documents.

#### **METHOD OF REPORTING**

18035. a. **Traffic Accidents.** Traffic accidents involving GDF vehicles are to be reported in accordance with current Instructions;
- b. **Aircraft Accidents.** Traffic accidents involving aircraft are to be reported in accordance with current Instructions;
- c. **Maritime Accidents.** Maritime accidents involving marine craft and accidents occurring on board such vessels whilst at sea or under way are to be reported in accordance with current Instructions;
- d. **Accidents And Miscellaneous Occurrences.** Accidents and miscellaneous

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occurrences not falling under paras **18035a to c** are to be reported as follows:

- (1) When an incident occurs which results in injury to, or death of, Office of the President non-industrial or industrial personnel in any circumstances, a report in writing is to be sent to the Office of the President through the Headquarters/the Personnel Officer (Civilian);
- (2) When an incident occurs, which results in the injury to, or death of any Military Personnel in any circumstances, a report in writing is to be sent to the Office of the President through the Headquarters;
- (3) When an incident occurs which could result in a claim being made against the Office of the President by a non Office of the President personnel, a report in writing is to be sent to the Office of the President through the Headquarters; and
- (4) The written reports should provide the following information:
  - (a) Date and time of occurrence;
  - (b) Office of the President personnel and Unit or establishment involved;
  - (c) Place of occurrence;
  - (d) Brief details of occurrence;
  - (e) Nature of injury or damage caused;
  - (f) Names and addresses of any persons killed or injured;
  - (g) Age and sex of any persons killed or injured;
  - (h) Names and address of any potential claimants; and
  - (i) Names, addresses and telephone numbers of any witnesses.

e. **Training and Manoeuvre Damage:**

- (1) **In Guyana.** Any damage occasioned to private property, including livestock, during training and manoeuvres is to be reported to Defence Headquarters immediately; and

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- (2) **Overseas.** Claims for training and manoeuvre damage overseas will be dealt with through the appropriate local authority in accordance with local Orders, and Defence Headquarters advised accordingly.

### **WRITS AND SUMMONS**

18036. On receipt of a writ or summons naming a Rank as defendant or if other urgent matters arise the matter is to be reported immediately to the respective Commanding Officer and to the Force Legal Officer.

### **SETTLEMENT**

18037. a. Claims, which fall within this Section, are to be settled only by the authorities mentioned, except where powers of settlement have been specifically delegated. All personnel are forbidden to enter into correspondence or discussions with any person in connection with an incident likely to lead to a third party claim, or to do anything which might be interpreted as an admission of liability;
- b. Claimants and those acting on their behalf should be given the postal address of the appropriate authority to whom the report of the occurrence has been sent;
- d. Any communication received from a claimant, insurance company, attorney at law or other interested party is to be forwarded immediately to the appropriate authority and, except to give the address of the authority if this has not already been done, no reply is to be sent to the writer;
- d. Units or establishments will be notified by an authorized Officer if any statement or supplementary statement from a witness, or the attendance of such a witness is required. Any request from an authorized Officer to obtain such a statement will be taken as referring solely to a statement required for claims purposes and not to one for

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disciplinary purposes. The evidence of Police and civilians required solely for disciplinary purposes may, however, be obtained direct by the quickest possible means; and

e. Units or establishments are reminded that any requests made by any local authority for additional information is made both in the interests of the Office of the President and of the Service and is for the purposes of ensuring that a claim, or the initiation of a claim, is properly considered.

### **OFF DUTY CLAIMS**

18038. a. In Guyana the Office of the President does not accept responsibility for claims against Military Personnel arising from off duty incidents and claimants are expected to seek redress against the individuals responsible for the injury or loss; and

b. Overseas there is provision in certain instances for the Office of the President to consider claims arising from off duty incidents and the appropriate local authority should be consulted when any such claim arises.

18039 - 18044. Reserved.

### **PART 5 - INDEMNITIES**

18045. As a general rule, when a facility or service is granted to another party which does not materially benefit the Office of the President, or where the balance of benefit is to the other party, steps should be taken to ensure that the Office of the president is indemnified against risks which might arise. The purpose of an indemnity (which is sometimes incorporated into an insurance policy, licence or contract) is to transfer to another party the financial consequences of any legal liability together with any other expenses which may be incurred, and which would

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otherwise fall to be paid from funds authorized by Parliament for Defence purposes. Instructions on the more typical circumstances in which indemnities are required are given in this Section.

18046. No amendment is to be made to an approved form of indemnity without the agreement or the authority of the Headquarters Guyana Defence Force.

18047. On occasions indemnities may be sought by other parties when facilities or services are granted by them to the Office of the President. In such circumstances reference is to be made to the appropriate Office of the President authority before any agreement is entered into.

### **PASSENGERS IN SERVICE TRANSPORT**

18048. Passengers whose carriage in Service transport is clearly in the interests of the Office of the President may be regarded as duly sponsored, and as such are not required to provide any indemnity. Examples of sponsored passengers are as follows:

- a. Military Personnel, Office of the President civilians and other public servants carried in the course of duty;
- b. Persons engaged in a GDF contract whose carriage is necessary to the contract. (Such carriage should normally be subject to the indemnity provisions of the relevant Defence contract);
- c. Persons whose carriage is officially approved by the Headquarters with a view to future recruitment;
- d. Persons carried in an emergency on urgent compassionate grounds;
- e. Persons carried for public relations reasons which have been approved by the Headquarters;
- f. Representatives of the News Media where their carriage is of public relations benefit to the Service and where their carriage has been approved by the Headquarters;

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- g. Families carried in vehicles and vessels on Families Days; and
- h. Representatives of the Media where a charge representing the equivalent of full commercial costs is raised against the employer or person concerned.

### **VISITORS TO SERVICE ESTABLISHMENTS**

18049. No indemnity is required from persons wishing to enter Force establishments, Units, Ships or other premises in the course of duty, on approved business (e.g. for recruiting, welfare, open days or other purposes connected with the Service) or in order to make bonafide visits to persons serving in establishments, Units, Ships, etc. However, because the Office of the President may be liable to pay compensation in the event of accidents occurring to visitors whilst on military premises, action is to be taken, where this is practicable, to ensure that visitors are not exposed to any obvious hazards. This is particularly important when visitors are in an unfamiliar environment such as a Ship, dockyard, workshop etc.

18050. Liabilities arising from visits by contractors' personnel will normally be covered in the terms and conditions of the appropriate Defence contract.

### **UNOFFICIAL AND RECREATION ACTIVITIES**

18051. When approval is given for the use of Force facilities including transport for unofficial or recreational purposes then an indemnity is normally required.

### **TESTING AND EVALUATION OF COMMERCIAL EQUIPMENT**

18052. Where a commercial organisation offers equipment to a Force establishment for testing and evaluation with a view to furthering sales or in the hope of influencing subsequent

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procurement, it will usually be appropriate for the Force to seek an indemnity from the supplier against accidents which might occur during or as a consequence of the trials. The indemnity requirements will normally be included in a formal loan agreement, but in the absence of such an agreement the Headquarters is to be consulted as necessary.

### **USE OF MILITARY PROPERTY BY THE MEDIA**

18053. When considering approval for representatives of the Media to be admitted onto military property for the purpose of producing feature films, documentaries or drama series then advice on indemnities is to be sought at an early stage. No indemnity is required when representatives of the Media are admitted onto military property for the purpose of covering the normal activities of the Service e.g. for news reports or similar. If any doubt exists as regards the necessity for indemnification then the Headquarters is to be contacted.

### **SERVICE ASSISTANCE TO OUTSIDE ORGANISATIONS**

18054. On particular occasions when Military Personnel are provided to render approved forms of assistance to civil authorities and other outside organisations, the relevant indemnity and insurance requirements are to be examined and implemented through the Force Legal Officer at the Headquarters.

## **PART 6 – BIRTHS, DEATHS AND MARRIAGES GENERAL**

18055. A member of the Guyana Defence Force is to report to his Commanding Officer as soon as possible any change in his marital status, including divorce or separation, and any birth or death in his family. All reports are to be supported by the relevant certificate or other official documents, which should be returned by the Commanding Officer to the owner as soon as

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possible. All consequent changes in the name, address and relationship of the nearest relative or friend are also to be reported. Any costs incurred in connection with the registration of births, deaths and marriages are to be paid by the individual concerned or his Next-of-Kin.

### **ADOPTION OF CHILDREN**

18056. Adoption of a child is to be reported in the same way as a birth and the Commanding Officer is to be furnished with a copy of the adoption order or a certificate of the entry in the adopted children's register. The same procedure is to apply when an interim order is made or when the child of a member of the Force is adopted by some other person.

### **MARRIAGES (SEE ALSO CHAPTER 4)**

18057. The requirements of the law relating to the publication of banns or giving notice of marriage and to the solemnisation and registration of a marriage vary according to the country in which the marriage is to take place. To ensure that they are aware of the requirements of the law of the country in which they or members of their families intend to marry, Military Personnel are advised to consult their Commanding Officer or Chaplain.

18058. Marriages may be solemnised in military chapels which have been licensed or registered for the purpose. Personnel who wish to be married in a Service chapel should consult the Chaplain.

18059. A Rank wishing to be married must apply for permission from his Commanding Officer with the following particulars regarding himself and (so far as they are within his knowledge) the other party to the marriage:

- a. Full name;

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- b. Age;
- c. Nationality;
- d. Condition (bachelor, spinster, widower, widow, divorced);
- e. If a member of the Force, full Service particulars (or the exact employment held).
- f. Home address, or if none, residence and names of Next-of-Kin.
- g. Intended address after marriage; and
- h. Name(s) of dependant(s).

### **CIVIL REGISTRATION OF BIRTHS AND DEATHS**

18060. When a member of the Guyana Defence Force dies his Commanding Officer is to ascertain whether the relatives have registered the death. If they have not he is to notify the registrar or to ensure that notification is given by a convenient Service Unit or establishment.

18061. Personnel are themselves responsible for notifying to the local civilian registrar births and deaths which occur in their families.

### **SERVICE AND PRIVATE FUNERALS (SEE ALSO CHAPTER 9)**

18062. a. The term 'Military funeral' means a burial or cremation which is arranged by the Military authorities and which is paid for out of public funds;
- b. A Service funeral may be provided for an Officer or Soldier or entitled family member. If practicable, the relatives are to be offered the alternative of themselves arranging a private funeral. A Service funeral, or a grant towards the expenses of a private funeral, may also be provided for other categories of personnel;
- c. The wishes of the Next-of-Kin about funeral arrangements are to be obtained as prescribed in *Chapter 9*; and

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d. When an individual who is eligible for a Service funeral dies while he is serving with a Unit other than his own, the Commanding Officer of the Unit with which he is serving at the time of death should, whenever practicable, get in touch with the parent Unit in order that suitable funeral arrangements can be agreed. If necessary, he may accept the responsibility of carrying out the funeral.

18063 - 18069. Reserved.

### **PART 7 – WILLS (SEE ALSO CHAPTER 9)**

#### **GENERAL**

18070. The recommended methods of making a Will which are available to Military Personnel may be summarised as follows:

- a. **As for Civilians**
  - (1) By drawing up a Will on expert advice:
  - (2) By using one of the printed forms which can be purchased; or
  - (3) By writing a simple Will on a sheet of paper.
- b. **Methods Available to Military Personnel Only.** Use of the approved form of the Guyana Defence Force Will.

18071. The laws which apply to the making of Wills by civilians apply to the making of Wills by members of the Force. Persons under the age of 18 years cannot make a Will under the law.

### **DUTIES OF COMMANDING OFFICERS**

18072. Commanding Officers are to ensure that all personnel entitled to make a Will are urged to do so. Personnel making a Will should be advised that if for any reason they afterwards wish to change the distribution of their estate they should make a fresh Will. In addition Commanding Officers are to remind personnel that it may be desirable to make a Will (or a fresh Will) on any alteration of marital status or change of Next-of-Kin and that it is desirable to make a Will before proceeding overseas. They should point out that if no Will is made the estate (including money, balance of pay and personal belongings) must be distributed in the event of death according to the laws of the country governing intestate estates, which may result in the estate having to be distributed in a way which the deceased would not have wished, and that the nomination of a Next-of-Kin does not take the place of a Will.

### **MAKING OF WILLS**

18073. A form of approved Guyana Defence Force Will may be obtained on application to the Unit Orderly Room. Personnel may make their own arrangements for drawing up a Will if they prefer to do so.

18074. Military Personnel, including those under 18 years of age, may be able to make informal unwitnessed Wills, usually during war time, but in the interests of their beneficiaries they should make a formal Will at the earliest opportunity.

18075. Completed Wills should not be kept with personal belongings, but should be deposited in safe custody.

18076 - 18079. Reserved.

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**PART 8 – JURY SERVICE**

**GENERAL**

18080. Under Section 175 of the Defence Act, members of the Guyana Defence Force are exempt from serving on any jury.

**ACTION ON RECEIPT OF JURY SUMMONS**

18081. On receipt of a jury summons, therefore, the following action is to be taken:

- a. The Rank is immediately to inform his Commanding Officer of the receipt of the summons and to show the document to him;
- b. The Commanding Officer is to ensure that the application by the individual for excusal is properly completed and dispatched along with a statement outlining the exemption from jury service for Ranks under Section 175 of the Defence Act; and
- c. When notice of excusal is received by the Rank, there is no further action to be taken.

18082 - 18099. Reserved.

**PART 9: RIGHTS OF THE SOLDIER**

**RIGHTS OF SERVICEMEN CHARGED WITH AN OFFENCE UNDER THE DEFENCE ACT CHAPTER 15:01**

18100. This portion of the pamphlet is to help you understand your rights military Law and regulations when arrested for or charged with an offence under the Defence Act Chapter 15:01 (Chap 15:01). It cannot deal with every question you may have. While the majority of the

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content applies to persons arrested or charged with an offence, the main focus is to assist non commissioned ranks and private soldiers. If you are in any doubt about your rights, you should get help from an officer, warrant officer or senior non commissioned officer.

### **RIGHTS OF OFFICERS AND OTHER RANKS CHARGED WITH AN OFFENCE UNDER THE DEFENCE ACT CHAPTER 15:01**

18101. The Commanding Officer (CO) is able to delegate many of his powers and duties to other officers such as your Company Commander or Officer Commander. If the CO is away, another officer, such as the 2IC may exercise his powers.

18102. Officers (below the rank of Lieutenant Colonel) and substantive WOs cannot be tried summarily by their CO; rather any charges against them are dealt with by an Appropriate Superior Authority (ASA).

### **ARREST AND MILITARY CUSTODY BEFORE CHARGE**

18103. You may not always be arrested. If you are not, then this section is not relevant.

Different people have the power to make arrests which is governed by section 81 Chap 15:01.

- a. An officer may be arrested by an officer of superior rank, or if engaged in a quarrel of disorder, by an officer of any rank;
- b. A soldier may be arrested by an officer, WO or NCO or superior rank subject to service law.
- c. A provost officer or any officer/WO/NCO subject to service law acting under the lawful authority under a provost office may arrest any officer or soldier. An officer is not to be arrested except on the authority of another officer.

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18104. The power of arrest given can be exercised personally or by giving orders.

18105. Once you are arrested, a report of your arrest must be given to your CO as soon as possible.

18106. Once you are in military custody for longer than eight days without a court-martial for your trial being assembled, a special report outlining the reason for your extended custody must be made by your CO to higher authority; a similar report is to be made every eight days until the court martial is assembled or the offence is dealt with summarily or you are released from arrest: section 82(2) Chap 15:01.

18107. Where you are on active service, compliance with section 82(2) is excused if it is not practicable, having regard to military operations.

18108. You ought not to be held in military custody for longer than seventy two consecutive days without a court-martial being convened for your trial unless the officer who would be responsible for convening your court martial directs in writing (specifying reasons) that you are not to be released from arrest: Rule 5 Defence (Rules of Procedure) 1977. Reasons why it may be necessary to keep you in custody include:

- a. to secure or preserve evidence relating to the offence for which you were arrested;
- b. to allow Force police to obtain such evidence;
- c. to prevent you from interfering with any witnesses or evidence in the case;
- d. to prevent you from going absent without leave or failing to attend questioning.

18109. Note that even if you are not place in military custody, your CO may restrict your movement such as confining you to the Base.

### **MILITARY CUSTODY – YOUR RIGHTS**

18110. Each time your retention in military custody is authorised (see paras 7 and 9 above) you ought to be informed in writing of the following:

- a. the offence you were arrested for;
- b. the date, time and location of your arrest;
- c. why you are being kept in custody;
- d. how long your retention in custody is authorised;

18111. You should sign to confirm receipt of the correspondence.

### **CONTACT WITH YOUR COMMANDING OFFICER**

18112. You may apply in writing to the person who arrested you, or if he has received the report, to your CO, to be released from military custody. You should explain why you think you should be released, taking into account the reasons you have been given for custody.

### **COMMUNICATIONS**

18113. The rank should:

- a. be given writing material on your request;
- b. have one person of your choice contacted, at public expense, and told of your arrest and the place you are being held;
- c. make at least one telephone call, at public expense, to a legal adviser;
- d. speak on the telephone to your relatives and your own expense or receive incoming telephone calls at reasonable times.

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18114. You should note that some or all of these rights can be delayed or withheld if it is considered by the arresting officer or your CO that they would interfere with the investigation, cause another offence or warn another suspect, or interfere with operations or compromise security.

18115. Duties. Once you are in custody, you neither will have to attend parades nor do more than necessary to keep yourself and accommodation clean. You may be ordered to perform duties if you are on operations.

### **MILITARY CUSTODY AFTER CHARGE**

18116. The CO may still authorise your retention in military custody after you have been charged until your case has been dealt with.

18117. The CO should inform you of his reason for so doing. These may include that you:

- a. May fail to attend any hearing
- b. May commit an offence
- c. May interfere with witnesses or otherwise obstruct the course of justice;
- d. Should be kept in custody for your own protection
- e. The CO does not have sufficient information to make a final decision yet because of the short space of time since you were charged
- f. Have been previously released from military custody after you were charged with this offence and you went AWOL or deserted.

**INVESTIGATION AND SUMMARY DEALING BY COMMANDING OFFICER**

118119. The charges which the CO may be dealt with summarily are contained in the Summary Jurisdiction Regulations, 2007.

18120. CO must first read, and if necessary explains, the charge to you. He can then hear the evidence himself or cause it to be reduced in writing in the form of a summary or an abstract of evidence.

18121. Even if your CO hears the evidence he can still order that it be reduced in writing or having ordered it to be reduced in writing he can still order that it be given orally.

18122. If the evidence discloses an offence other than that which you were charged, the CO may prefer that other offence in addition to or in substitution to the one in which you were charged

18123. Witnesses called by the CO where there is an oral hearing must give their evidence in your presence or the CO read any written statements of witnesses that you have agreed can give evidence by this means. You may question any witness called by your CO.

18124. You may request an Officer or Other Rank as the case may be to represent you at your summary trial.

18125. You may also give evidence yourself, but you do not have to and cannot be forced to do so. Your statement can be given on oath or you may make a statement without being sworn. You may call witnesses in your defence.

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18126. The Commanding Officer must record in writing everything you say and everything the witnesses say.

18127. Evidence need not be given on oath unless your CO directs or you demand it.

18128. After this, your CO will announce whether he has found the charge proved or not.

18129. If it is found proved, the CO should go on to consider your character, conduct sheet and any other factors relevant to sentencing. You could tell your CO on your character and any factors that could operate in your favour to reduce the severity of the punishment.

18130. Your CO will then announce the punishment awarded. The punishments which a CO can award as contained in section 85 (3) of Cap 15:01 are:

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<b>SER</b>	<b>PUNISHMENT</b>	<b>SSGT/SGT</b>	<b>CPL</b>	<b>LCPL</b>	<b>PTE</b>
<b>(a)</b>	<b>(b)</b>	<b>(c)</b>	<b>(d)</b>	<b>(e)</b>	<b>(f)</b>
01	Detention/field punishment up to 42 days	No	No	No	Yes
02	A fine up to 28 days pay	Yes	Yes	Yes	Yes
03	Severe reprimand or reprimand	Yes	Yes	Yes	No
04	Stoppages of pay	Yes	Yes	Yes	Yes
05	Reversion from acting to permanent or intermediate rank	Yes	Yes	Yes	No
06	Reversion to the ranks	No	No	Yes	No
07	Stoppage of leave	Yes	Yes	Yes	Yes
08	Extra guards; piquets, duty or drill;	No	No	No	No
09	Admonition	Yes	Yes	Yes	Yes
10	Confinement to barracks up to 28 days	No	No	No	Yes

a. If you are a substantive Lance Corporal your CO can order that you be reduced to PTE. He can only combine stoppages with the reduction in rank: section 85(4) Chap 15:01.

b. If you are an acting WO or NCO the CO can, if he awards no other punishment other than stoppages, order that you be reduced to your substantive rank or a local rank: section 85(5) Chap 15:01.

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- c. A Senior Non-Commissioned Officer should not be reduced in rank, except by sentence of court martial or order of Defence Board or by an Officer, at least the rank of Major who has been authorised by the Regulations, Section 25(1) Chapter 15:01.
- d. Where the CO intends to award detention or field punishment he should not record the finding before giving you the opportunity of electing trial by court martial. You can withdraw this election in accordance with the regulations: Section 85(6) Chap 15:01.
- e. Where your CO has referred charges to higher authority with a view to you being tried by court martial and higher authority has sent them back for him to dispose of he can do so and the above applies. Where you have elected trial by court martial and have not withdrawn your election, higher authority should not send back the charge to your CO.
- f. Your OC's powers depends on his rank and what powers have been delegated to by his CO but will usually be more limited than the COs powers. The maximum powers an OC may have are:

<b>SER</b>	<b>PUNISHMENT</b>	<b>CPL</b>	<b>LCPL</b>	<b>PTE</b>
<b>(a)</b>	<b>(b)</b>	<b>(c)</b>	<b>(d)</b>	<b>(e)</b>
01	Fine up to 7 days pay	Yes	Yes	Yes
02	Reprimand	Yes	Yes	Yes
03	Stoppages up to 7 days pay	Yes	Yes	Yes
04	Extra guards, duties, piquets, drill	No	No	Yes
05	Confinement to barracks up to 7 days	No	No	Yes
06	Admonition	Yes	Yes	Yes

**INVESTIGATION AND SUMMARY DEALING BY APPROPRIATE SUPERIOR  
AUTHORITY**

18131. The procedure is similar to that before a CO. You are entitled to your charge sheet and a copy of the summary or abstract of evidence at least twenty four hours before the investigation of the charge.

18132. The punishments which the ASA may award are:

<b>SER</b>	<b>PUNISHMENT</b>	<b>OFFR</b>	<b>WO</b>
<b>(a)</b>	<b>(b)</b>	<b>(c)</b>	<b>(d)</b>
01	Forfeiture of seniority	Yes	Yes
02	Fine up to 28 days pay	Yes	Yes
03	Severe Reprimand	Yes	Yes
04	Reprimand	Yes	Yes
05	Stoppages of pay	Yes	Yes

- a. A WO or SNCO may not reduced in rank except by sentence of court martial or order of Defence Board or by an officer, at least the rank of Major who has been authorised by regulations: Section 25(1) Cap 15:01.

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- b. Where an ASA intends to award forfeiture of seniority or stoppages or forfeiture of pay, he must give you the option of electing trial by court martial.

### **REVIEW OF SUMMARY DEALINGS**

18133. This is governed by Section 116, Chap 15:01. Where a charge has been dealt with by the CO or ASA and it has not been dismissed, you can write for a review of the finding or award to:

- a. Defence Board
- b. Any officer superior in command to the CO or ASA who summarily dealt with the charge.

18134. The Reviewing authority has power to:

- a. Quash the finding where he is of the view that you were dealt with unjustly;
- b. Quash the award;
- c. Vary the award by substituting the punishment but no so as to make it more severe.

### **TRIAL BY COURT MARTIAL**

18135. You can elect trial by court martial if the CO/ASA proposes to give you certain punishments as outlined above. If you elect and do not withdraw the election, your case will not go further summarily. Where you are charged with two or more charges that are to be dealt with together, then an election by you on one charge will result in all the charges being referred for court martial consideration.

18136. In certain instances, higher authority will determine that you are to be tried by court martial.

**REFERRAL FOR COURT MARTIAL**

18137. If you have elected or your CO has referred the case for trial by court martial, and higher authority has agreed, your case is then referred to the Legal Services Department. Once satisfied with the strength of the case, Legal Services convenes the court martial.

18138. You should be given the following as soon as you have been remanded for trial for trial:

- a. A copy of the charge sheet which should state whether the charges are to be tried by ordinary or field court martial;
- b. A copy of the summary of evidence;
- c. Notice of any additional evidence the prosecutor intends to use;
- d. If you require, the number, rank and names and units of the President and members who are to form the court and any waiting members.

18139. If the Prosecutor later intends to add more evidence, a copy of the statements of additional prosecution witnesses, or other evidence will be given to you: R 48 RP 1977.

18140. If the Prosecutor decided not to call a witness whom they previously indicated that they would call, you will be notified and you are free to call that witness for cross examination if you wish:

18141. If you wish to call any witnesses at your trial, the LSD will summon them once you give them sufficient information to enable them to do so. Some points you can discuss with your advisers:

- a. Does the prosecution evidence prove the charges against me?

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- b. Has the court-martial the right to deal with my case?
- c. Does the charge correctly describe what is alleged I did?
- d. If there are other accused or more than one charge, is it fair that one court should deal with all of them?
- e. Do I have an alibi?
- f. Should I agree with any of the prosecution case, so that some witnesses need not come to give their evidence?

### **TRIAL BY COURT MARTIAL: AT THE TRIAL**

18142. You will be present throughout the proceedings

- a. The Judge will ensure that you understand your rights as to giving evidence yourself, either sworn or unsworn and the consequences if you choose to remain silent, and your right to call witnesses.
- b. You may consult your legal adviser or defending officer at any time. Although you have the rights to question witnesses and address the court, it is usual for those tasks to be done on your behalf by your legal adviser or defending officer.
- c. Where the offence for which you were charged has not been proved, the court has the power to convict you for an offence other than that which you were charged which involves a lesser degree of punishment: s 103 (1) Cap 15:01.
- d. Where you have been found guilty, your service record will be read out to the court; an officer may be called upon to give you a character reference and you can make a plea in mitigation to the court: R 70 RP 1977.

### **POST TRIAL**

18143. You may appeal the sentence of a court martial to the Court of Appeal of Guyana

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18144. A sentence of imprisonment, which automatically entails dismissal from the Force (and cashiering for officers); will be served in a civilian prison.

### **FUNDAMENTAL RIGHTS AND FREEDOMS OF THE INDIVIDUAL RIGHTS GUARANTEED UNDER THE CONSTITUTION OF GUYANA**

18145. According to Article 40: (1) every person in Guyana is entitled to the basic right to a happy, creative and productive life, free from hunger, disease, ignorance and want. That right includes the fundamental rights and freedoms of the individual, that is to say, the right, whatever his race, place of origin, political opinions, colour, creed or sex, but subject to respect for the rights and freedoms of others and for the public interest, to each and all of the following, namely:

- a. life, liberty, security of the person and the protection of the law.
- b. freedom of conscience, of expression and of assembly and association; and
- c. protection for the privacy of his home and other property and from deprivation of property without compensation.

### **ENFORCEMENT OF THESE RIGHTS**

18146. Any person who feels that his rights guaranteed under the Constitution of Guyana are being infringed can apply to the High Court of Guyana for a declaration that his rights are being violated.

### **HUMAN RIGHTS AND ENFORCEMENT**

18147. This refers to the basic rights and freedoms to which all humans are entitled. These include civil and political rights as well as socio-economic and cultural rights. Breaches of Human Rights occur when any country or persons from a country fail to follow any or part of the UDHR Treaty or international Human Rights or humanitarian laws.

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18148. By virtue of Article 39 of the United Nations Charter, the United Nations Security Council (or an appointed body) can determine United Nations Human Rights breaches and enforce Human Rights laws.

18149. Human Rights abuses are closely watched by United Nations Committees, national governments and by many independent non-governmental organisations such as Amnesty International and World Organisation against Torture. These organisations collect evidence and documentation of alleged Human Rights abuses and apply pressure to enforce Human Rights laws.

18149. The Guyana Defence Force is bound as an organisation to ensure that the Human Rights of every Officer and soldier are protected and where violated, conduct an impartial investigation.

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**PERSONNEL POLICY**

**CHAPTER 19**

**INTERDICTION OF GUYANA DEFENCE FORCE RANKS**

**GENERAL**

19001 The interdiction policy regarding military personnel is intended to be used as a tool to ensure that the security and reputation of the Guyana Defence Force are protected at all times. This policy prohibits a person from working at his place of duty for a specified period. It also provides for the said person to be denied a part of his salary, some of his allowances and some of his rights and privileges pertaining to his employment. In the final analysis it will be the Chief of Staff who shall determine whether the Officer or Other Rank shall be interdicted from duty.

**PROCEDURE**

19002. Some of the conditions that will trigger the interdiction policy are as follows:

- a. Where there have been or are to be instituted against an Officer or Other Rank:
  - (1) Guyana Defence Force disciplinary proceedings that may lead to his dismissal;
  - (2) Civil or criminal proceedings and where the Chief of Staff is of the opinion that the Force or public interest requires that an Officer or Other Rank should forthwith cease to perform the functions of his office.
- b. An Officer or Other Rank who is charged with a criminal or civil offence shall report the matter **forthwith** to his Commanding Officer who will report it to the Chief of Staff who shall, thereafter, determine whether the Officer or Other Rank shall be interdicted from duty.
- c. The Commanding Officer, of an Officer or Other Rank who

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has been charged or is to be charged for any Force disciplinary proceedings for his dismissal, must recommend his interdiction to the Chief of Staff in accordance with the schedule of offences.

d. The Commanding Officer may, outside this schedule of offences, recommend interdiction if in his opinion the security and reputation of the Guyana Defence Force are at risk.

e. The act of interdiction is an administrative act by which an Officer or Other Rank is denied a part of his wages pending completion of legal proceedings. The principle of natural justice demands him the right to be heard before such a loss can validly result. Therefore, an Officer or an Other Rank who is to be interdicted must be interviewed and informed of his interdiction by letter stating that he is so interdicted. The notification should state what part of his salary rights and privileges will be denied.

f. The effective date of interdiction of an Officer or Other Rank is to be published immediately after he/she has been interviewed. The actions of Officer Commanding, Finance Department and Base Commanders, with respect to emoluments and restriction of privileges, are to be triggered by a letter from the Colonel Administration and Quartering detailing decisions on the foregoing issues.

g. The duration of the interdiction shall be until the final determination of the proceedings or for such period as shall be notified in writing.

### **COMMENCEMENT**

19003. The effective date of interdiction shall be:

- a. Where an Officer or Other Rank has continued to perform the duties of his office, the date of receipt by him of the notification of his interdiction.
- b. Where an Officer or Other Rank has ceased to perform his duties, such date as the Chief of Staff may direct.

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**STATUS WHILE INTERDICTED**

19004. As a general rule, an Officer of Other Rank who is interdicted shall be permitted to receive such proportion of the salary of his office not being less than one-half. However, Officers and Other Ranks who are not married may receive half of their salary while married Officers and Other Ranks may receive three quarters of their salary.

19005. An Officer or Other Rank who is interdicted shall continue to receive all allowances (including the prorated portions of any vacation allowance) save and except traveling and transport allowances.

19006. An Officer or Other Rank who is under interdiction may be prohibited access to certain areas of his work place if in the opinion of the Chief of Staff his presence may interfere with the evidence to be presented in the case against him or may be a threat to the security of the Force. Such prohibited areas should be notified to him in writing at the time of such notification.

19007. An Officer or Other Rank who is under interdiction shall not visit any Military Base without the permission of the Chief of Staff.

19008. If an Officer or Other Rank dies before the completion of this disciplinary proceedings or trial he is to be reinstated posthumously and all emoluments and allowances which had ceased shall become payable to the beneficiary of the deceased's estate.

19009. After the expiry of one year an Officer or Other Rank who has been interdicted from duty shall be entitled to an interview by the competent military authority to review his status.

19010. The interdicted Officer or Other Rank is to report on a weekly basis, or as directed, to his/her commanding officer or someone so delegated by him, irrespective of the status of his

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case. He is also to be contactable, providing as necessary any changes to personal information that will facilitate such contact.

### **CONCLUSION OF DISCIPLINARY PROCEEDINGS**

19011. If the proceedings (including any appeal) against any Officer or Other Rank do not result in his dismissal, conviction or other punishment he shall be entitled to the full amount of the emolument which he would have received if had not been interdicted.

19012. The Guyana Defence Force reserves the right to terminate the services of an Officer or Other Rank whose case may terminate due to want of prosecution or any other technical reason.

19013. An Officer or an Other Rank interdicted from duty pending the outcome of any inquiry by a court into any offence allegedly committed by him, shall upon conviction cease **forthwith** to be entitled to any salary or other emolument, notwithstanding any appeal by him (or notice thereof) against such conviction.

### **INTERDICTABLE OFFENCES (CIVIL)**

19014. All offences within the Criminal Law (Offences) Act Chapter 8:01 which includes:

- a. Assault
- b. Incest, rape and similar offences.
- c. Bigamy, abduction and similar offences.
- d. Homicide, manslaughter, murder, defamatory libel.
- e. Offences against rights of property and rights arising out of contracts.
- f. Larceny and similar offences.
- g. Fraud.

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- h. Robbery.
- i. Housebreaking and burglary
- j. Forgery.
- k. Riot.
- l. Treason.
- m. Perjury.
- n. Bribery and corruption.

19015. All offences within the Summary Jurisdiction Offences Act Chapter 8:02

except,

- a. SS. 32 – 55 which covers willful trespass to property and malicious injury to property.
- b. SS. 68 – 85 & SS 143 – 149 which includes offences against Religious morality and public convenience.

19016. a. Sections 35 and S.38 of the Motor Vehicles and Road Traffic Act Chapter 51:02.
- b. Section 35 – Causing Death by Reckless or Dangerous Driving of Motor Vehicles.
  - c. Section 38 – Motor racing and speed trials.
  - d. Section 39 – Driving under the influence of alcohol or drugs.

**INTERDICTABLE OFFENCES (MILITARY) INCLUDE**

19017. a. Aiding the enemy
- b. Communicating with the enemy
  - c. Mutiny
  - d. Failure to suppress mutiny

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- e. Stealing Service Property
- f. The offences listed at paragraphs fifteen (15) and sixteen (16) should be considered on a case by case basis.

**EMPLOYMENT DURING PERIOD OF INTERDICTION**

19018. Interdicted Officers and Other Ranks are prohibited from employment with agencies, private or public, during the period of their interdiction. This category of members of the GDF is to be reminded of this policy prior to the commencement of their interdiction from the GDF. Members of the GDF who are found to be working will be discipline and apart from losing their benefits can be dismissed administratively.

**LOSS OF BENEFITS**

19019. Interdicted officers and Soldiers who are tried summarily, for some reason or the other, and who are found guilty shall not be entitled to the withheld portion of their salary, for the interdicted period. The decision as to whether the Officer or Soldier is dismissed administratively shall be a judgment call, based on the nature of the offence which would have been committed.

19020. The foregoing procedures will ensure that security and related issues are not compromised within the Guyana Defence Force. However, it is expected that the identification of interdictable offences will influence a higher degree of discipline among the membership and reduced cases of interdiction. The interdicted Officer or Other Rank, however, has a responsibility of ensuring that his/her imposed status is not compromised.

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**PERSONNEL POLICY**  
**CHAPTER 20**  
**MILITARY INFORMATION POLICY**

**PART 1 – GENERAL**

**INTRODUCTION**

20001. The Mass Media play a crucial role in our society by supplying information and shaping opinions and attitudes towards Defence Policy. Through their treatment of feature articles and the broadcast of documentary and entertainment programmes about the military, they also have a significant role in moulding public perceptions regarding the Guyana Defence Force per se.

20002. A well defined relationship between the military and the Media is both important and complex because of the latter's pivotal position between the requirements of security and the interests of democracy. It is essential that there be a greater understanding of the Media by the military, and vice versa.

**METHOD**

20003. Public Information policy at the Guyana Defence Force will be overseen by the Staff Officer 1 General 5.

20004. At Unit level there are to be appointed Unit S5 (Press and Information Officers) who are normally given the appointment as a secondary duty. They may be assigned a Unit Press Non-Commissioned Officer, who should ideally be a good photographer. Ideally, arrangements should be made for such Unit Press and Information Officers to be sent on short courses before

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taking over the duties. The Unit Press and Information Officer must always consult the Staff Officer 1 General 5, especially since:

- a. Adverse publicity is likely to result from an occurrence; and
- b. Press interest goes beyond matters of fact concerning a Unit.

20005. There are two approaches:

- a. **Positive.** If there is news thought to be of interest, positive Public Relations can be undertaken by the press conference, briefings, visits to Units or a press release; or
- b. **Defensive.** If something has gone wrong and one is therefore put on the defensive, propose a line to the Headquarters and wait to be asked (by the Media).

## **CLEARANCE**

20006. Every rank who wishes to write anything for publication (or to speak in public) is required to follow the established clearance procedure with the Headquarters. The text of what he wishes to say must be approved in advance. The reason requiring clearance is to ensure:

- a. The confidentiality of the State's business and secrets;
- b. That no embarrassment is caused to the Government to whom we serve;
- c. That we are not improperly using knowledge (which may not necessarily be classified) that has come to us through our official duties;
- d. That we are not devoting taxpayers' time (or their resources such as paper, typist's time, copying facilities etc.) to our own profit; and
- e. That we are not in receipt of money from an outside source that could perhaps later **thereby** acquire some 'hold' over us.

The full clearance procedures are set out in *Parts 2 and 3* of this Chapter.

## **PART 2 - OFFICIAL INFORMATION AND PUBLIC RELATIONS**

### **THE OFFICIAL SECRETS ACTS**

20007. Every Officer is responsible for ensuring that all persons under his command are acquainted with the provisions of the Official Secrets Acts (OSA) of 1911-1920, and with the need for strict compliance with those provisions. All personnel are to be reminded annually of their responsibilities under the Official Secrets Acts. On joining the Guyana Defence Force all personnel will sign declarations regarding the Official Secrets Acts. (*See Annexes A and B to this Chapter*).

### **DISCLOSURE OF OFFICIAL INFORMATION**

20008. It is an offence against the Official Secrets Acts for a person to divulge, whether during or after a period of Service with the Guyana Defence Force, official information acquired by him during such Service unless expressly authorised to do so. All personnel are forbidden to communicate any official information, including information about to be made public, to any person other than one to whom they are authorised to communicate it or one to whom it is their official duty to communicate it. The use of such information for personal controversy or for any private purpose during or after completion of Service without due authority is a breach of the Official Secrets Acts. Information acquired in an official capacity by anyone seconded for Service with another Government Department is not to be disclosed without the expressed permission of that Department.

20009. Any information of a professional or technical nature that a rank may acquire in the performance of his duty, or in the course of his official studies, is the property of the

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Government and is not to be published in any form without the prior approval of the Defence Board.

### **RESTRICTIONS ON THE USE OF OFFICIAL DOCUMENTS**

20010. Official reports, correspondence and documents of whatever description, whether classified or not, are the property of the Government of Guyana. The only legitimate use which personnel may make of official documents, or information derived from them, is for the furtherance of the Public Service in the performance of their duty.

20011. All official publications and documents produced in the course of official duty are Government copyright, including correspondence, drawings, maps, photographs and musical and other artistic works. Photographs taken with official equipment or material, whether or not for authorised purposes, are also Government copyright. Permission for reproduction, in whole or in part, for any non-official purpose must be obtained through the Office of the President.

### **GENERAL CONSIDERATIONS**

20012. Greater openness in the work of Government requires:

- a. The fullest possible exposition to Parliament and to the public of the reasons for Government policies and decisions when those policies and decisions have been formulated and are announced;
- b. The creation of a better public understanding about the way in which the process of Government works and about the factual or technical background to Government policies and decisions. The development of openness in this sense does not imply a licence to Service personnel to discuss with unauthorised persons Government policies and decisions which are in the process of being formulated before announcements are

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made. Nor does it cover politically controversial topics, whether the issues are important or relatively trivial. (A politically controversial issue is one which is, has been or is clearly about to be a matter of controversy between political parties in this country).

20013. The exposition of Government policies and decisions is the responsibility of Ministers. It would therefore be improper for individual members of the Service to be personally identified in public with any line in conflict with declared Government policy. There will from time to time be opportunities for personnel to help in creating a better understanding of the way in which the processes of Government work and, in some instances, about the factual or technical background to Government policies and decisions.

20014. There will also be occasions when personnel can and should make a contribution to knowledge on the basis of specialised information and experience obtained in the course of their official duties. In particular, professional, scientific and engineering personnel are encouraged to participate in discussions with learned bodies so long as policy, defence and commercial interests are protected. Any such participation in public discussion or contribution to knowledge of this kind must however, be such that it does not prejudice national security; nor create the possibility of embarrassment to the Government in the conduct of its policies; nor bring into question the impartiality of the Guyana Defence Force. It is essential therefore that control over what is made public should rest with the Chief of Staff, Guyana Defence Force.

### **APPLICABILITY**

20015. The Instructions in the above paragraphs and in *Annex B* to this Chapter govern the disclosure of information to the general public or to any person not authorised for official purposes to have access to official information. This also includes the placing of information in the hands of any person or group without restraint on further dissemination or discussion.

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20016. The activities governed by these Instructions are, in the main:

- a. Public lectures and speeches;
- b. Interviews with and communications to the Press;
- c. Radio and television appearances;
- d. Statements to non-Governmental bodies;
- e. Books, monographs, articles, letters or other textual materials, whether purporting to be fact or fiction;
- f. Theses for degrees or diplomas; and
- g. Participation in outside study conferences, seminars and discussions.

20017. Servicemen who wish to take part, anonymously or otherwise, in any outside activity which involves the disclosure of information obtained in the course of official duties, the use of official experience, or the public expression of views on official matters, must obtain authority in advance from the Headquarters Guyana Defence Force. The procedure for obtaining permission is set out in ***Annex A*** to this Chapter. The responsibility for seeking this authority in sufficient time to allow proper consideration rests with the individual. Failure to obtain the necessary permission before undertaking any such activity is a disciplinary offence.

### **OUTSIDE ORGANISATIONS**

20018. Servicemen serving in other organisations are to observe the rules and procedures of the organisation concerned where the material relates to the business of that organisation. However, since such persons also remain subject to the provisions of the Defence Act they are also to consult the Headquarters Guyana Defence Force, particularly, whenever material of direct concern to Guyana is involved and in any case of doubt.

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### **EX-SERVICEMEN**

20019. Personnel who, after leaving the Guyana Defence Force, wish to publish any information which they have acquired or to which they have had access as a result of their official position or Service, and which is covered by the Official Secrets Acts, should seek the official sanction of the Office of the President before publication.

### **PRINCIPLES**

20020. The general principles which apply to outside activities involving the use of official information or experience are:

- a. There must be no disclosure of classified or 'IN CONFIDENCE' or other privacy-marked information;
- b. There should be no discussion of politically controversial issues;
- c. The relations between Defence Force personnel and Ministers, or the confidential advice given to Ministers, should not be disclosed;
- d. There should be no comment on individuals or organisations in terms which the Defence Board would regard as objectionable;
- e. The activity should not conflict with the interests of the Force or of the Office of the President, or generally bring their good name or that of the Public Service generally, into disrepute;
- f. The commercial and patent interests of the Office of the President, of the other Government Departments, and of organisations and contractors collaborating with them should be fully protected. It is the responsibility of those proposing to take part in an outside activity to seek advice if these commercial interests might be jeopardised in any way and in particular if the activity relates to work under departmental contracts. It should be noted that disclosure, even under conditions of confidence to whole sections of

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industry may in some circumstances constitute publication for patent purposes and might make it impossible to secure valid patent protection for the subject matter disclosed; and

g. Permission should be obtained to republish any material covered by copyright, whether the copyright owner is the Government or not. Particular care is necessary where it is proposed to use material the origin of which is obscure.

### **PRESS ANNOUNCEMENTS**

20021. Official communications to the Press will normally be made by the Staff Officer 1 General 5 of the Headquarters Guyana Defence Force. They may, however, be made by duly authorised personnel in command of Units, (e.g. the Commanding Officer, Unit S5 or his representative) when the information given is factual and relates solely to the command, Unit, or establishment concerned and when this is in accordance with any separate Instructions. They must avoid comment on issues of a politically controversial nature.

20022. Where casualties have occurred, the names of persons killed or injured are not in any circumstances to be divulged until after it is definitely known that the Next-of-Kin have been informed.

### **BROADCASTS AND PRESS INTERVIEWS**

20023. Invitations for members of the Force to take part in radio or television programmes are usually made by the broadcasting authorities through official channels, but a direct approach may sometimes be made. If any individual is approached directly he should immediately report the matter to the appropriate authority. Invitations to assist in the production of programmes or for helping in providing briefing and background information for a programme should be reported similarly.

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20024. Public justification of Government policy is a function of Ministers, not of ranks. Members of the Guyana Defence Force should not therefore take part in a broadcast discussion or press interview on the merits of a policy which is, or may become, a matter of controversy between the political parties. As even a factual statement on such a subject may be open to misconstruction, it is preferable that personnel should not speak in public or on any politically controversial issues. An unrehearsed interview or discussion on a non-controversial subject can easily move into an area of political controversy and the position of Force personnel on controversial matters must therefore be made quite clear to the commentator or interviewer beforehand. So as to reduce the possibility of subsequent misinterpretation the Unit Press and Information Officer is to be in attendance at all Press interviews and radio or television appearances.

### **PAYMENTS FOR BROADCASTING, LECTURING OR WRITING FOR PUBLICATION**

20025. Broadcasts by ranks acting as an official spokesman and speeches and lectures on official subjects will normally be undertaken as part of their official duty and, as such, are covered by their Defence Force pay; no question of extra payment to individuals will therefore arise. If however all or part of the preparatory work and delivery of the broadcast, speech or lecture is done during the individual's off duty time he may retain the whole or part of any fees payable, as appropriate. This provision also governs the retention of any fees payable for the writing of books or articles on official matters or involving the use of official material or experience.

### **OUTSIDE SEMINARS AND STUDY CONFERENCES**

20026. Members of the Guyana Defence Force in their official capacity should not, in the absence of specific permission, accept invitations to conferences convened by, or under the aegis

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of party political organisations. They may, in their official capacity, attend or take part in non-governmental conferences, seminars etc, which are not conducted under the aegis of a party political organisation provided that the Headquarters Guyana Defence Force is satisfied as to the character of the conference and the advantage likely to accrue.

20027. Ranks who receive an invitation from a non-governmental and non-political body to participate in a study conference, seminar, or discussion are, before accepting, to seek authority through their Commanding Officers from the Headquarters Guyana Defence Force.

### **QUESTIONNAIRES/SURVEYS**

20028. Personnel should not complete questionnaires from publishers of directories, employment agencies, research investigators and the like if this would involve disclosing detailed and significant information about their official duties in the Guyana Defence Force. While to name an appointment can reveal the nature of the duty attached to it, this Instruction is not intended to prevent personnel from replying suitably to questionnaires from responsible publications such as the 'Directory of Personalities'. In any case of doubt, the Headquarters Guyana Defence Force is to be consulted.

## **PART 3 – PUBLIC RELATIONS**

### **GENERAL**

20029. While observing the need for security and the confidentiality of many Force transactions, members of the Guyana Defence Force have a responsibility for maintaining good relations with the public and the Press. By 'Press' is meant not only newspapers and periodicals but also other publications, radio and television, films/video, ie all information media.

**VISITS BY PRESS REPRESENTATIVES**

20030. Commanding Officers are to ensure that Instructions governing the admission of Press representatives to Units and establishments and the facilities to be granted in connection with such visits are carefully observed.

**PART 4 - INCIDENTS LIABLE TO CAUSE PARLIAMENTARY COMMENT**

20031. In general the preceding Instructions dealt with the control of information and the release of it to the Press. It is equally important however that the Chief of Staff and senior Officers and, as appropriate, Unit Commanders, should provide the Office of the President with the earliest possible information of any incidents or occurrences in which the Guyana Defence Force is involved and which may be liable to form the subject of comment in Parliament or in the Press.

20032. When it is impossible for a full account of any incident to be rendered before the facts have been thoroughly examined, an incomplete account should be sent at the earliest moment, followed in due course by any detailed report considered necessary. Where such an incident occurs in a Unit or Department the Commanding Officer/Officer Commanding is to inform their Headquarters (Branch Heads) directly by **IMMEDIATE** Signal.

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