THE DEFENCE ACT

ARRANGEMENT OF SECTIONS

PART I. Preliminary

- 1. Short title.
- 2. Interpretation.
- 3. Provisions as to active service.
- 4. Establishment of Jamaica Defence Force.
- 5. Employment of Defence Force.
- 6. Formation into units.
- 7. Employment of Defence Force outside Jamaica.
- 8. Overseas training.

PART II. Jamaica Defence Board

- 9. Establishment of Defence Board.
- 10. Membership of Defence Board.
- 11. Secretary of Defence Board.
- 12. Performance of functions of Defence Board.

PART III. Officers

- 13. Conditions of appointing officers.
- 14. Power to grant commissions.
- 15. Appointment and transfer of officers.
- 16. Power to make regulations for this Part.

PART IV. Enlistment and Terms of Service in the Regular Force Enlistment

- 17. Recruiting Officers.
- 18. Enlistment.

Terms and Conditions of service

- 19. Terms of enlistment.
- 20. Re-engagement and continuance in service.
- 21. Prolongation of service.

Discharge and Transfer to the Reserve

- 22. Discharge.
- 23. Transfer to the Reserve.
- 24. Postponement of discharge or transfer pending proceedings for offences, etc.
- 25. Restrictions on reduction in rank of warrant officers and noncommissioned officers.
- 26. Right of warrant officer to discharge on reduction in rank.
- 27. Discharge upon prescribed grounds.
- 28. Right of soldier to purchase discharge.
- 29. Further provisions relating to purchase.

Miscellaneous and supplementary provisions

- 30. Rules for reckoning service.
- 31. Validity of attestation and enlistment.
- 32. False answers in attestation papers.
- 33. Interpretation.

PART V. Discipline and Trial and Punishment of Military Offences Treachery, cowardice and offences arising out of military service

- 34. Aiding the enemy.
- 35. Communication with the enemy.
- 36. Cowardly behaviour.
- 37. Offences against morale.
- 38. Becoming a prisoner of war through disobedience or wilful neglect; and failure to rejoin forces.
- 39. Offences by or in relation to sentries, etc.
- 40. Looting.

DEFENCE

Mutiny and Insubordination

- 41. Mutiny.
- 42. Failure to suppress mutiny.
- 43. Insubordinate behaviour.
- 44. Disobedience to particular orders.
- 45. Obstruction of provost officers.
- 46. Disobedience to standing orders.

Desertion, absence without leave, etc.

- 47. Desertion.
- 48. Absence without leave.
- 49. Assisting and concealing desertion and absence without leave.
- 50. Failure to perform military duties.

Malingering and drunkenness

- 51. Malingering.
- 52. Drunkenness.

Offences relating to property

- 53. Offences in relation to public and service property.
- 54. Offences in relation to property of members of forces.
- 55. Miscellaneous offences relating to property.

Flying, etc., offences

- 56. Dangerous flying, etc.
- 57. Inaccurate certification of aircraft, etc.
- 58. Low flying.
- 59. Annoyance by flying.

Offences relating to, and by, persons in custody

- 60. Irregular arrest and confinement.
- 61. Permitting escape, and unlawful release of prisoners.
- 62. Resistance to arrest.
- 63. Escape from confinement.

Offences in relation to courts-martial and civil authorities

- 64. Offences in relation to courts-martial.
- 65. False evidence.
- 66. Obstruction of police officer arresting officer or soldier.

Miscellaneous Offences

- 67. Injurious disclosures.
- 68. Making of false statements on enlistment.
- 69. Making of false documents.
- 70. Scandalous conduct of officer.
- 71. Ill-treatment of officers or men of inferior rank.
- 72. Disgraceful conduct.
- 73. False accusation.
- 74. Attempts to commit military offences.
- 75. Conduct to prejudice of military discipline.

Civil Offences

76. Civil offences.

Punishments

- 77. Punishment of officers.
- 78. Punishment of soldiers.
- 79. Field punishment.
- 80. Imprisonment.

Arrest

- 81. Power to arrest offenders.
- 82. Provisions for avoiding delay after arrest.

Investigation of, and summary dealing with, charges

- 83. Investigation of charges by commanding officer.
- 84. Charges to be dealt with summarily or by court-martial.
- 85. Further proceedings on charges against non-commissioned officers and soldiers.

DEFENCE 5

- 86. Further proceedings on charges against officers and warrant officers.
- 87. Dismissal of charges referred to higher authority.
- 88. Officers who are to act as commanding officers and appropriate superior authorities.
- 89. Limitation on powers of summary dealing with charges.

Court-martial: general provisions

- 90. Trial by, and powers of, ordinary court-martial.
- 91. Trial by, and powers of, field court-martial.
- 92. Officers having powers to convene courts-martial.
- 93. Constitution of ordinary courts-martial.
- 94. Constitution of field courts-martial.
- 95. Supplementary provisions as to constitution of courts-martial.
- 96. Place for sitting of courts-martial and adjournment to other places.

Courts-martial: provisions relating to trial

- 97. Challenges by accused.
- 98. Administration of oaths.
- 99. Courts-martial to sit in open court.
- 100. Dissolution of courts-martial.
- 101. Decisions of courts-martial.
- 102. Finding and sentence.
- 103. Power to convict of offence other than that charged.
- 104. Rules of evidence.
- 105. Privilege of witnesses and others at courts-martial.
- 106. Offences by civilians in relation to courts-martial.
- 107. Affirmations.

Confirmation, revision and review of proceedings of courts-martial

- 108. Confirmation of proceedings of courts-martial.
- 109. Petitions against finding or sentence.
- 110. Revision of findings of courts-martial.
- 111. Powers of confirming authorities.