

GOVERNMENT NOTICE NO. 71

DEFENCE FORCE ACT

(CAP. 12:01)

DEFENCE FORCE (REGULAR FORCE) (OTHER RANKS) (AMENDMENT)  
REGULATIONS, 2020

IN EXERCISE of the powers conferred by section 241 of the Defence Force Act, I, PROFESSOR ARTHUR PETER MUTHARIKA, Minister of Defence, with the advice of the Defence Council, make the following regulations—

1. These Regulations may be cited as the Defence Force (Regular Force) (Other Ranks) (Amendment) Regulations, 2020. Citation

2. The Defence Force (Regular Force) (Other Ranks) Regulations (hereinafter referred to as the “principal Regulations”) are amended, in regulation 2, by inserting, in the correct alphabetical order, the following new definition— Amendment of regulation 2 to Cap.12:01, Sub. leg. p.423

“instructor” means any officer appointed to carry out functions at a training institution or attached to conduct training at such an institution;”.

3. Regulation 6 of the principal Regulations is amended by—

(a) revoking subregulation (5) and replacing it with a new subregulation (5), as follows— Amendment of regulation 6 of the principal Regulations

“(5) Members of the same rank shall take seniority from the date of their appointment or promotion to that rank, or in the case of members appointed or promoted to that rank on the same date, from the date of their enlistment in the Force or their personal number.”;

(b) revoking subregulation (6) and replacing it with a new subregulation (6), as follows—

“(6) Seniority among members by rank, shall be in the following order—

- (a) Sergeant Major (WO Class I) ;
- (b) Sergeant Major (WO Class II) ;
- (c) Staff Sergeant, Chief Technician or Chief Petty Officer;
- (d) Sergeant, Flight Sergeant or Petty Officer;
- (e) Corporal or Leading Rating;
- (f) Lance Corporal or Marine; and
- (g) Private, Airman or Able Rating.”; and

(c) inserting new subregulations (7) and (8) as follows—

“(7) Unless the context otherwise requires, the ranks provided under these Regulations, shall, with the necessary modifications, apply to the Air Force and the Maritime Force.

(8) Notwithstanding other provisions of this regulation, a person shall not be eligible to be engaged as a member under these Regulations, if he has served as a member of the Militia.”.

Amendment of regulation 9 of the principal Regulations

4. Regulation 9 of the principal Regulations is amended, by deleting the words, “section 22”, wherever that word appears and substituting therefor the words “section 26”.

Amendment of regulation 10 of the principal Regulations

5. Regulation 10 of the principal Regulations is amended—

(a) in subregulation (1) (c), by deleting the words “section 22” and substituting therefor the words “section 26”; and

(b) in subregulation (3), by deleting the words “fifty-five” and substituting therefor the words “sixty-two”.

Amendment of regulation 13 of the principal Regulations

6. Regulation 13 of the principal Regulations is revoked and replaced with the following new regulation 13—

“Promotions and appointments

13.—(1) Subject to the existence of vacancies, members shall be promoted in the following manner—

(a) promotion from private to lance corporal shall be done by a Commanding Officer provided that a member has been in the service for three years and has successfully completed potential Junior Non Commissioned Officer training or its equivalent;

(b) promotion from lance corporal to corporal shall be done by a Commanding Officer provided that a member has been in the service for six years and has successfully completed section commanders training or its equivalent;

(c) promotion from corporal to sergeant shall be done by an appropriate superior authority provided that a member has been in the service for ten years and has successfully completed small arms training and platoon sergeants’ training or its equivalent;

(d) promotion from sergeant to staff sergeant shall be done by an appropriate superior authority provided that a member has been in the service for fifteen years and has successfully completed company quartermasters’ training or its equivalent;

(e) promotion from staff sergeant to warrant officer class II shall be done by a Senior NCO Promotions Board provided that a member has been in the service for eighteen years and has successfully completed Drill and Duties basic training and senior non-commissioned officers’ tactics or its equivalent; and

(f) promotion from warrant officer class II to warrant officer class I shall be done by a Senior NCO Promotions Board provided that a member has been in the service for twenty-two years and has successfully completed Drill and Duties basic training and senior noncommissioned officers' tactics or its equivalent.

(2) The Commander may, in his discretion, appoint a specialist to a higher rank than an entry level rank as he deems fit.

(3) Promotion for specialist shall be at the discretion of Senior NCO Promotions Board.

(4) Subject to section 13 of the Act, an appropriate superior authority may temporarily appoint a member of the rank of staff sergeant to the next higher rank other than commissioned rank or appoint such a member to act in the next higher rank other than the commissioned rank.

(5) For purposes of this regulation, the Senior NCO Promotions Board shall be composed of—

(a) the Chief responsible for Human Resource Management and Development, who shall be the Chairman;

(b) the Directors responsible for Human Resource in the services;

(c) the Inspector General;

(d) the Chief or Director of Training;

(e) the Defence Force Sergeant Major;

(f) three Service Sergeant Majors.”.

7. Regulation 14 of the principal Regulations is amended, in subregulation (1) (b) (iii), by deleting the words “section 22 or 71” and substituting therefor the words “section 26 or 82”.

Amendment  
of regulation  
14 of the  
principal  
Regulations

8. Regulation 18 of the principal Regulations is revoked and replaced with a new regulation 18, as follows—

Amendment  
of regulation  
18 of the  
principal  
Regulations

“Trade pay  
allowance

18.—(1) There shall be a board to be known as Trade and Testing Board which shall have the function to institute such tests for the purpose of classifying members in trade groups according to their standards of efficiency in a trade and which shall consist of—

(a) the Chief responsible Human Resource Management and Development;

(b) the Director of Training;

(c) the Commandant;



- (d) the Inspector General;
- (e) the Defence Force Sergeant Major; and
- (f) any other person co-opted as a member for the purpose of this subregulation.

(2) A member who is successful in passing a test instituted in terms of subregulation (1) shall be classified accordingly and shall, if he is thereafter employed as a tradesman, and—

(a) if he holds a degree or its equivalent from recognized institutions and is serving in his relevant field of expertise, be paid a trade pay allowance at the rate of twenty five percent of basic pay;

(b) if he holds a diploma or its equivalent from recognized institutions and is serving in his relevant field of expertise, be paid a trade pay allowance at the rate of twenty percent of basic pay;

(c) a member classified in the trade groups prescribed in the First Schedule shall be paid a trade pay allowance at such a rate applicable to him in the First Schedule.”.

Amendment of regulation 19 of the principal Regulations

9. Regulation 19 of the principal Regulations is revoked and replaced with the following new regulation 19—

“Barrack allowances

19.—(1) A member who is maintaining a recognized spouse, child or dependant shall be paid a barrack allowance at the rate of twenty-four percent of monthly basic pay.

(2) Where the recognized spouse of a member dies and that member is maintaining a child, the member shall be paid a barrack allowance at the rate of twenty-four per cent of one month basic pay.

(3) The Commander may direct that an allowance payable under subregulation (1) shall instead of being paid to the member, be paid to his recognized spouse.”.

Amendment of regulation 16 of the principal Regulations

10. Regulation 16 of the principal Regulations is amended by inserting a new subregulation (3) as follows—

“(3) The ranks provided under this regulation shall, with the necessary modifications, apply in both the Air Force and the Maritime Force.”.

Insertion of regulation 22A into the principal Regulations

11. The principal Regulations are amended, by inserting a new regulation 22A, as follows—

“Risk and instructor’s allowance

22A.—(1) Active paratroopers, divers, explosive ordinance disposal experts and such other member as the Commander may determine shall, during posting at a relevant unit and such other period as the Minister may determine, be paid risk allowance at the rate of eight per cent of basic pay.

(2) A member who is—

(a) appointed as an instructor for any military training shall, during the period of such an appointment, be paid an allowance of an instructor at the rate of eight per cent of basic pay; or

(b) attached as an instructor shall during the period of that attachment be paid an allowance of an instructor at the same rate as the officer entitled in paragraph (a).”

12. Regulation 25 of the principal Regulations is revoked and replaced with the following new regulation 25—

“Responsibility  
and acting  
allowances

25.— (1) A member who holds—

(a) the appointment of Defence Force sergeant-major and Service Sergeant Major shall be paid an allowance at the rate of eighteen per cent of one month basic pay;

(b) the appointment of brigade sergeant-major shall be paid an allowance at the rate of fifteen per cent of one month basic pay;

(c) the appointment of—

(i) regimental sergeant-major;

(ii) base sergeant-major; or

(iii) garrison sergeant major,

shall be paid an allowance at the rate of twelve per cent of one-month basic pay;

(d) the appointment of—

(i) a quarter master sergeant instructor; or

(ii) a drill sergeant major;

shall be paid an allowance at the rate of ten per cent of one-month basic pay; and

(e) the appointment of company sergeant-major or equivalent appointment, shall be paid an allowance at the rate of 8 per cent of one month basic pay.

(2) Subject to this regulation, a member who is appointed to act in any of the appointments prescribed in subregulation (1) shall, during the subsistence of his acting appointment, not less than twenty-eight consecutive days, be paid acting allowance at the rate of five per cent of the member’s basic pay per month.”

Amendment  
of regulation  
25 of the  
principal  
Regulations

13. Regulation 26 of the principal Regulations is amended, in paragraph (c), by deleting the words “deserting or absenting himself without leave” and substituting therefor the words “desertion or absence without official leave”.

Amendment  
of regulation  
26 of the  
principal  
Regulations

Amendment of regulation 27 of the principal Regulations

14. Regulation 27 of the principal Regulations is amended by inserting a new subregulation (4) as follows—

“(4) Any sum of money received by way of deductions of pay and allowance under this regulation shall be remitted to the unit that incurred such loss destruction or damage.”.

Amendment of regulation 30 of the principal Regulations

15. Regulation 30 of the principal Regulations is revoked and replaced with the following new regulation 30—

“Study leave 30.—(1) A member may be granted study leave to pursue a course identified by the Defence Force within or outside Malawi for a period of two or more years.

(2) Where a member has identified a course on his own within or outside Malawi, he shall be granted study leave for a period not exceeding two years:

Provided that where a member who has been granted leave exceeds a period of two years, he shall not be entitled to any pay.”.

Insertion of regulation 30A into the principal Regulations

16. The principal Regulations are amended, by inserting a new regulation 30A, as follows—

“Special training allowance 30A.—(1) When attending an approved course of instruction within or outside Malawi a member shall be entitled to a special training allowance as determined by the Commander on the recommendation of the Defence Council.

(2) Where a member has identified a course on his own within or outside Malawi, he shall be entitled to receive special training allowance at the discretion of the Defence Council.”.

Amendment of regulation 33(1) of the principal Regulations

17. Regulation 33 (1) of the principal Regulations is amended—

(a) by deleting the words “full pay”; and

(b) in paragraph (a), by inserting, immediately after the words “every month”, the words “failing which that member shall only be entitled to one-half of his monthly salary”.

Amendment of regulation 34(1) of the principal Regulations

18. Regulation 34 (1) of the principal Regulations is amended, by inserting, immediately after the words “with pay”, the words “for a period not exceeding fourteen days.”.

Amendment of regulation 37 of the principal Regulations

19. Regulation 37 of the principal Regulations is amended by inserting a new subregulation (3) as follows—

“(3) A female member who was on maternity leave in accordance with this regulation shall be engaged in light duties for a further period not exceeding three months from the expiry of her maternity leave.”.

Amendment of regulation 39 of the principal Regulations

20. Regulation 39 of the principal Regulations is revoked and replaced with the following new regulation 39—



"Leave

39.—(1) A member who has been granted an annual leave shall be paid leave grant at the rate applicable to a civil servant of equivalent grade in the civil service.

(2) A member who has been granted—

- (a) embarkation leave;
- (b) disembarkation leave;
- (c) compassionate leave;
- (d) study leave; or
- (e) maternity leave,

shall be granted free travelling facilities, or the equivalent in money, to and from his leave destination on one occasion per year, except in relation to embarkation, disembarkation, compassionate leave and maternity leave when travelling facilities may be granted at the discretion of the commanding officer:

Provided that if his leave destination is outside Malawi, such facilities shall only be granted to and from the point on the borders of Malawi which is nearest to his leave destination."

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| 21. Regulation 46 (2) of the principal Regulations is amended, by inserting, immediately after the word "under", the words, "section 210 of".   | Amendment of regulation 46 (2) of the principal Regulations |
| 22. Regulation 50 of the principal Regulations is amended, in paragraph (a) by deleting the words "ten" and substituting therefor the words "fifteen".  | Amendment of regulation 50 of the principal Regulations     |
| 23. Regulation 55 of the principal Regulations is amended by inserting a new subregulation (8) as follows—<br><br>“(8) Notwithstanding the provisions of this regulation, where a member dies leaving a valid will, the contents of the will shall supersede the provisions of the Second Schedule.”. | Amendment of regulation 55 of the principal Regulations     |
| 24. Regulation 60 of the principal Regulations is amended, by deleting the words "six hundredth" and substituting therefor the words "three-hundred and sixtieth".  | Amendment of regulation 60 of the principal Regulations     |
| 25. Regulation 66 of the principal Regulations is revoked and replaced with the following new regulation 66—<br><br>"Benefits on discharge or dismissal on prescribed grounds   | Amendment of regulation 66 of the principal Regulations     |
| 66. A member who, under section 26 of the Act (other than on the grounds of medical or physical unfitness occasioned without any misconduct or serious negligence on his part) or under section 82 of the Act, is discharged or dismissed from the Regular Force may be entitled—                     |   |

(a) where he is discharged under section 26 (a), one month pay for each completed year of service;

(b) where he is discharged under section 26 (b), one month pay for each completed year of service;

(c) where he is discharged under section 26 (c)—

(i) if the civil offence involves the misappropriation, theft or any misapplication of public funds, no gratuity; and

(ii) pay for three months;

(d) where he is discharged under section 26 (d)—

(i) if his service amounts to less than fifteen years, a gratuity at the rate prescribed in regulation 60; and

(ii) if his pensionable service amounts to fifteen years or more, a pension at the rate prescribed in regulation 60;

(e) where he is discharged under section 26 (e)—

(i) if his service amounts to less than fifteen years a gratuity at the rate prescribed in regulation 60; and

(ii) if his pensionable service amounts to fifteen or more years a pension at the rate prescribed in regulation 60;

(f) where he is discharged under section 26 (f)—

(i) if his service amounts to less than fifteen years, a gratuity at the rate prescribed in regulation 60; and

(ii) if his pensionable service amounts to fifteen or more years a pension at the rate prescribed in regulation 60;

(g) where he is discharged under section 26 (g), one month pay for each completed year of service;

(h) where he is discharged under section 26 (h)—

(i) if his service amounts to less than fifteen years, a gratuity at the rate prescribed in regulation 60; and

(ii) if his pensionable service amounts to fifteen or more years a pension at the rate prescribed in regulation 60;

(i) where he is discharged under section 26 (i), one month pay for each completed year of service;

(j) where he is discharged under section 26 (j), one month pay for each completed year of service;

(k) where she is discharged under section 26(k), one month pay for each completed year of service;

(l) where he is discharged under section 26(l), one month pay for each completed year of service;



	<p>(m) where he is discharged under section 26(m)—</p> <p>(i) no gratuity; and</p> <p>(ii) pay for three months; and</p> <p>(n) where he is discharged under section 26(n), one month pay for each completed year of service.”.</p>	
	<p>26. The principal Regulations are amended, by inserting a new regulation 67A, as follows—</p>	<p>Insertion of regulation 67A into the principal Regulations</p>
“Commutation of gratuity	<p>67A.—(1) In this regulation, unless the context otherwise requires—</p> <p>“beneficiary” means a person who is entitled to the pension, gratuity or other benefits of a deceased member as prescribed in the Second Schedule.</p> <p>(2) The beneficiary of gratuity of a deceased member may apply to the Commander for commutation of up to one-third of the total gratuity that the particular beneficiary is entitled to as prescribed in regulation 67:</p> <p>Provided that the portion of commutation applied for shall be deducted from the applicable gratuity under regulation 67.”.</p>	
	<p>27. Regulation 75 of the principal Regulations is repealed.</p>	<p>Repeal of regulation 75 of the principal Regulations</p>
	<p>28. Regulation 77 of the principal Regulations is revoked and replaced with a new regulation 77, as follows—</p>	<p>Amendment of regulation 77 of the principal Regulations</p>
“Funeral expenses	<p>77. The amount of any reasonable expenses incurred in burying—</p> <p>(a) a member;</p> <p>(b) a pensioner who held the rank of Warrant Officer Class 1; and</p> <p>(c) the approved spouse of a serving member including four children who are less than eighteen years of age,</p> <p>shall be paid by the Government:</p> <p>Provided that Government shall not pay for the expenses for the funeral of a member who was discharged under section 26 of the Act.”.</p>	
	<p>29. The Second Schedule to the principal Regulations is amended, in paragraph 4(a) by deleting the words, “Seven eighths” and substituting therefor the words, “Six eighths”.</p>	<p>Amendment of the Second Schedule to the principal Regulations</p>

Made this 3rd day of April, 2020

(FILE NO.: A/150)

PROF. A. P. MUTHARIKA  
*Minister of Defence*

GOVERNMENT NOTICE NO. 72

DEFENCE FORCE ACT

(CAP. 12:01)

DEFENCE FORCE (IMPRISONMENT AND DETENTION) (AMENDMENT)  
REGULATIONS, 2020

IN EXERCISE of the powers conferred by section 137 of the Defence Force Act, I, PROFESSOR ARTHUR PETER MUTHARIKA, Minister of Defence, with the advice of the Defence Council, make the following Regulations—

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| Citation   | 1. These Regulations may be cited as the Defence Force (Imprisonment and Detention) (Amendment) Regulations, 2020.  |
| Amendment of regulation 10 to Cap.12:01, Sub. leg. p.276       | 2. Regulation 10 (2) of the Defence Force (Imprisonment and Detention) Regulations (hereinafter referred to as the "principal Regulations") is amended, by deleting the words "the Commander" and substituting therefor the words "an appropriate superior authority".  |
| Amendment of regulation 15 (1)(b) of the principal Regulations | 3. Regulation 15(1)(b) of the principal Regulations is amended, by deleting the word "lighted" and substituting therefor the word "lit".  |
| Amendment of the Fourth Schedule to the principal Regulations  | 4. The Fourth Schedule to the principal Regulations is amended by— <ul style="list-style-type: none"> <li>(a) deleting "6. Chilumba Garrison" and substituting therefor "6. Chilumba Barracks";</li> <li>(b) deleting "7. Malawi Defence Force College, Salima" and substituting therefor "7. Malawi Armed Forces College, Salima";</li> <li>(c) deleting "11. Bakili Muluzi 9th Battalion" and substituting therefor "11. Changalume Barracks, Zomba"; and</li> <li>(d) inserting a new detention barracks, as follows—<br/>"12. Engineers Battalion, Kasungu".</li> </ul> |

Made this 19th day of February, 2020.

(FILE NO.: A/150)

PROF. A. P. MUTHARIKA  
*Minister of Defence*

## GOVERNMENT NOTICE No. 73

DEFENCE FORCE ACT  
(CAP. 12:01)DEFENCE FORCE (MEDAL FOR LONG SERVICE AND GOOD CONDUCT)  
(AMENDMENT) REGULATIONS, 2020

IN EXERCISE of the powers conferred by section 227 of the Defence Force Act, I, PROFESSOR ARTHUR PETER MUTHARIKA, Minister of Defence, with the advice of the Defence Council, make the following Regulations—

1. These Regulations may be cited as the Defence Force (Medal for Long Service and Good Conduct) (Amendment) Regulations, 2020. Citation

2. Regulation 3 of the Defence Force (Medal for Long Service and Good Conduct) Regulations is amended, by deleting the words "non-commissioned officers", wherever it appears and substituting therefor the words "officers, warrant officers and senior non-commissioned officers". Amendment of regulation 3 to Cap.12:01, Sub. leg. p.344

Made this 19th day of February, 2020.

PROF. A. P. MUTHARIKA  
*Minister of Defence*

(FILE NO.: A/150)

## GOVERNMENT NOTICE No. 74

DEFENCE FORCE ACT  
(CAP. 12:01)

## DEFENCE FORCE (MILITIA) (AMENDMENT) REGULATIONS, 2020

IN EXERCISE of the powers conferred by section 241 of the Defence Force Act, I, PROFESSOR ARTHUR PETER MUTHARIKA, Minister of Defence, with the advice of the Defence Council, make the following Regulations—

1. These Regulations may be cited as the Defence Force (Militia) (Amendment) Regulations, 2020. Citation

2. The Defence Force (Militia) Regulations (hereinafter referred to as the "principal Regulations") are amended, in regulation 3 (1), by deleting the words "sixty" and substituting therefor, the words "sixty-two". Amendment of regulation 3(1) to Cap.12:01, Sub. leg. p.356

3. The First Schedule to the principal Regulations is revoked and replaced with the following new First Schedule— Amendment of the First Schedule to the principal Regulations



## FIRST SCHEDULE

regs. 27 and 37

## "RATES OF DISABLEMENT COMPENSATION

Ranks	Rate per annum
1. Disabled member holding rank—	
(a) Lieutenant Colonel, Commander or higher rank ..	K18,900
(b) Major, Captain .. .. .	K15,120
(c) Lieutenant to Second Lieutenant ..	K13,092
2. Disabled member not holding commissioned rank .. .. .	K13,092".

Made this 19th day of February, 2020

(FILE NO.: A/150)

PROF. A. P. MUTHARIKA  
*Minister of Defence*

GOVERNMENT NOTICE NO.75

## DEFENCE FORCE ACT

(CAP. 12:01)

## DEFENCE FORCE (BOARDS OF INQUIRY) (AMENDMENT) RULES, 2020

IN EXERCISE of the powers conferred by section 138 of the Defence Force Act, I, PROFESSOR ARTHUR PETER MUTHARIKA, Minister of Defence, with the advice of the Defence Council, make the following Regulations—

Citation                   1. These Rules may be cited as the Defence Force (Boards of Inquiry) (Amendment) Rules, 2020.

Amendment               2. The Defence Force (Boards of Inquiry) Rules are amended, in rule 4 of rule 4 (1)(a) (1)(a), by deleting the figure "21" and replacing it with the figure "7".  
of rule 4 (1)(a)  
to Cap.12:01,  
Sub. leg. p.285

Made this 19th day of February, 2020.

(FILE NO.: A/150)

PROF. A. P. MUTHARIKA  
*Minister of Defence*

## GOVERNMENT NOTICE NO. 76

## DEFENCE FORCE ACT

(CAP. 12:01)

DEFENCE FORCE (EFFICIENCY MEDAL) (AMENDMENT) REGULATIONS,  
2020

IN EXERCISE of the powers conferred by section 241 of the Defence Force Act, I, PROFESSOR ARTHUR PETER MUTHARIKA, Minister of Defence, with the advice of the Defence Council, make the following Regulations—

1. These Regulations may be cited as the Defence Force (Efficiency Citation Medal) (Amendment) Rules, 2019.

2. Regulation 3 of the Defence Force (Efficiency Medal) Regulations is amended—

(a) in subregulation (1), by deleting the word “reward” and substitute therefor the word “award”; and

(b) in subregulation (2) (a), by deleting the word “sixteen” and substituting therefor the word “ten”.

Amendment  
of regulation  
3 to  
Cap.12:01.  
Sub. leg.  
p.285

Made this 19th day of February, 2020.

PROF. A. P. MUTHARIKA  
*Minister of Defence*

(FILE NO.: A/150)

## GOVERNMENT NOTICE NO. 77

## DEFENCE FORCE ACT

(CAP. 12:01)

## DEFENCE FORCE (RECRUITMENT) (AMENDMENT) REGULATIONS, 2020

IN EXERCISE of the powers conferred by section 241 of the Defence Force Act, I, PROFESSOR ARTHUR PETER MUTHARIKA, Minister of Defence, with the advice of the Defence Council, make the following Regulations—

1. These Regulations may be cited as the Defence Force (Recruitment) (Amendment) Rules, 2020.

2. The Defence Force (Recruitment) Regulations (hereinafter referred to as the “principal Regulations”) are amended, by revoking regulation 2 and replacing therefor the following new regulation 2—

Amendment of  
regulation 3 to  
Cap.12:01  
Sub. leg. p.285

“Recruitment

2 —(1) A person offering to enlist in the Regular Force under section 19 of the Act may, if he is accepted by the recruiting officer and during the period concerned occupies official quarters provided by the Defence Force, be given pay

and rations or allowances in lieu thereof at rates or on the scales set out in regulations 16 and 24 of the Defence Force (Regular Force) (Other Ranks) Regulations from the date of so offering to enlist until the date of his enlistment.”.

(2) The minimum education requirements for a candidate shall be the Malawi School Certificate of Education, or its equivalent, with credit passes in six subjects, one of which shall be the English language.

Made this 19th day of February, 2020

(FILE NO.: A/150)

PROF. A. P. MUTHARIKA  
*Minister of Defence*

GOVERNMENT NOTICE NO. 78

## DEFENCE FORCE ACT

(CAP. 12:01)

### DEFENCE FORCE (SERVICE COMMANDER'S MEDAL) REGULATIONS, 2020

IN EXERCISE of the powers conferred by section 241 of the Defence Force Act, I, PROFESSOR ARTHUR PETER MUTHARIKA, Minister of Defence, with the advice of the Defence Council, make the following Regulations—

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|----------------------|--|
| Citation             | 1. These Regulations may be cited as the Defence Force (Service Commander's Medal) Regulations, 2020.  |
| Description          | 2.—(1) The medal shall be designated the “Service Commander's Medal” and is hereinafter referred to as “the medal”.<br><br>(2) The medal shall be of two silver stars, bearing letters MDF and on the reverse the inscription “SERVICE COMMANDER” circumscribing the badge of the Defence Force.<br><br>(3) The medal shall be worn suspended on the left breast by a ribbon 2.5 cm in width which shall in colour be gold marked with red stripes on either side. |
| Eligibility          | 3.—(1) The medal shall be awarded to a General Officer of the Malawi Defence Force who has been appointed to the position of Service Commander of any of the three services of the Defence Force as stipulated in section 4 (1) of the Act.  |
| Loss and replacement | (2) The medal shall be awarded on the authority of the President as Commander-in-Chief and notice of each award shall be published in the <i>Gazette</i> .<br><br>(3) A register of the names of those to whom the medal has been awarded shall be kept by the Chief of Human Resource Management and Development.   |



4.—(1) When a medal has been lost and it is desired to replace it, a sworn statement shall be made stating the circumstances under which the loss occurred and the number, rank, name and unit of the person to whom the medal belonged, and the sworn statement shall be forwarded to the Secretary for Defence. Loss and replacement

(2) Replacement of a lost medal shall not be made until a period of six months has elapsed after the date on which the loss was reported.

5. There shall be no grant awarded to any recipient of the medal. Grant

Made this 19th day of February, 2020

PROF. A. P. MUTHARIKA  
*Minister of Defence*

(FILE NO.: A/150)

GOVERNMENT NOTICE NO. 79

DEFENCE FORCE ACT

(CAP. 12:01)

DEFENCE FORCE (SUMMARY JURISDICTION) (AMENDMENT)  
REGULATIONS, 2020

IN EXERCISE of the powers conferred by section 241 of the Defence Force Act, I, PROFESSOR ARTHUR PETER MUTHARIKA, Minister of Defence, with the advice of the Defence Council, make the following Regulations—

1. These Regulations may be cited as the Defence Force (Summary Jurisdiction) (Amendment) Rules, 2020. Citation

2. Regulation 2 of the Defence Force (Summary Jurisdiction) Regulations is amended, by inserting, in the correct alphabetical order, the following new definitions— Amendment of regulation 2 to Cap.12:01, Sub. leg. p.294

“admonition” means a verbal warning;

“reprimand” means serious written warning; and

“Subaltern” means an officer below field rank;”.

3. Regulation 10 of the principal Regulations is revoked and replaced therefor the with following new regulation 10— Replacement of regulation 10 of the principal Regulations

“ Limitation of powers of commanding officer of field rank

10. A commanding officer of field rank may award any of the following punishments—

(a) to a subaltern—

(i) a fine of a sum not exceeding the equivalent of one month pay;

(ii) severe reprimand;

(iii) reprimand; and

(iv) stoppages (of pay) not exceeding seven days pay where the offence has occasioned any expense, loss or damage;

(b) to a warrant officer and non commissioned officer—

(i) a fine of a sum not exceeding the equivalent of one month pay;

(ii) severe reprimand;

(iii) reprimand; and

(iv) stoppages (of pay) not exceeding seven days pay where the offence has occasioned any expense, loss or damage.

(c) to a Private—

(i) imprisonment for a period not exceeding forty-two days;

(ii) a fine not exceeding a quarter of month pay;

(iii) admonition;

(iv) stoppages (of pay) not exceeding seven days pay where the offence has occasioned any expense, loss or damage; and

(v) any other minor field punishment.”.

Amendment of regulation 11 of the principal Regulations

4. Regulation 11 of the principal Regulations is amended, by deleting the words “A commanding officer” and substituting therefor the words “An officer commanding”.

Replacement of regulation 14 of the principal Regulations

5. Regulation 14 of the principal Regulations is revoked and replaced therefore the following new regulation 14—

Punishment by Commander or appropriate superior authority

“14. Subject to regulation 9, the Commander or the appropriate superior authority may award one or more of the punishments provided in sections 88(3) and 89(5) of the Act:

Provided that the Commander or the appropriate superior authority shall not award the punishment of stoppages (of pay)—

(a) exceeding one-half of a month’s pay in the case of an officer below the rank of colonel; and

(b) exceeding one-third of a month’s pay in the case of a warrant officer, non-commissioned officer or private soldier.”.

Amendment of regulation 15 of the principal Regulations

6. Regulation 15 of the principal Regulations is amended, by deleting the words “section 28 of the Act, the appropriate superior authority” and substituting therefor the words “sections 28, 88 and 89 of the Act, the Commander or an appropriate superior authority”.

Made this 19th day of February, 2020.

(FILE NO.: A/150)

PROF. A. P. MUTHARIKA  
Minister of Defence

GOVERNMENT NOTICE No. 80

DEFENCE FORCE ACT

(CAP. 12:01)

DEFENCE FORCE (EFFICIENCY MEDAL) (AMENDMENT) REGULATIONS,  
2020

IN EXERCISE of the powers conferred by section 241 of the Defence Force Act, I, PROFESSOR ARTHUR PETER MUTHARIKA, Minister of Defence, with the advice of the Defence Council, make the following Regulations—

- Citation                    1. These Regulations may be cited as the Defence Force (Efficiency Medal) (Amendment) Regulations 2020
- Amendment  
of regulations 3 is amended—  
to Cap. 12:01,  
Sub. leg. p.219            2. Regulations 3 of the Defence Force (Efficiency Medal) Regulations
- (a) in subregulation (1), by deleting the word “reward” and substituting therefor, the word “awarded”; and
- (b) in regulation (2) (a), by deleting the word “sixteen” and substituting therefor the word “ten”.

Made this 19th day of February, 2020.

(FILE NO.: A/150)

PROF. A. P. MUTHARIKA  
*Minister of Defence*