ROYAL BRUNEI ARMED FORCES ACT
(CHAPTER 149)

ROYAL BRUNEI ARMED FORCES REGULATIONS

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SUBSIDIARY LEGISLATION

ROYAL BRUNEI ARMED FORCES REGULATIONS

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ROYAL BRUNEI ARMED FORCES REGULATIONS

Commencement:1st August 2011

PART 1

PRELIMINARY

Citation

1. These Regulations may be cited as the Royal Brunei Armed Forces Regulations.

Interpretation

2. In these Regulations, unless the context otherwise requires —

"adopted" in reference to any child means any child whose adoption has been registered under any written law for the time being in force in Brunei Darussalam;

"child" means a child whether legitimate or illegitimate, a step-child or an adopted child, being in all cases a child under the child's age limit, and in the case of a female child, not being married;

"child's age limit", in relation to a child, means in all cases the age of 17 years, except when the child is receiving full-time educational instruction, when the age limit may be extended to the age of 21 years;

"period of compulsory engagement" means the period of compulsory engagement prescribed in regulation 3(3)*(b)*;

"injury" includes wound or disease;

"living-out allowance" means an allowance granted to a member who has been given permission to reside outside his duty station as a means to compensate him provided that there are no suitable married quarters available to him;

"medical board" means a medical board consisting of such number of registered medical practitioners and other persons appointed by the competent authority;

"medical officer" means any medical practitioner registered under the Medical Practitioners and Dentists Act (Chapter 112);

"month" means a calendar month; for the purpose of aggregating broken periods, each broken period will be calculated in complete calendar months, any odd days being converted on the basis that 30 days as one month, 61 days as 2 months, 91 days as 3 months etc;

"professional" means an officer who possesses such professional qualifications or their equivalent as may be determined by the competent authority;

"relative" means husband, wife, father, mother, step-father, step-mother, father-in-law, brother, sister, step-brother, step-sister, brother-in-law, sister-in-law, son, daughter, uncle, auntie, nephew and niece;

"service" means service as a member with the Armed Forces;

"spouse" means a member, whose marriage has been registered in accordance with any written law for the time being in force in Brunei Darussalam or recognised as a valid marriage by the competent authority, and includes the surviving spouse of such member;

"unit" means any independent portion of the Armed Forces which is not higher in the organisation than a battalion or its equivalent, or any equivalent body of troops.

PART 2

TERMS OF ENGAGEMENT

Terms of engagement

3. (1) The term of engagement of an officer cadet enlisted before 1st August 2011 shall be 25 years and may be further extended for such period as may be determined by His Majesty the Sultan and Yang Di-Pertuan.

(2) The term of engagement of a soldier enlisted before 1st August 2011 shall be 20 years, being four terms of engagements each of 5 years period, and with the approval of the competent authority may be further extended for a term of 5 years, which means a total period of 25 years of service:

Provided that such soldier may opt for a term of engagement for a total period of 26 years of service or such period as may be extended by the competent authority.

(3) *(a)* The term of engagement of a member enlisted, on or after 1st August 2011 shall be —

(i) in the case of an officer, 30 years or until he reaches 55 years of age, whichever comes first; and

(ii) in the case of a soldier, 26 years,

or until such period as may be extended by the competent authority.

(b) Any officer cadet or soldier enlisted on or after 1st August 2011 shall complete a period of compulsory engagement for a duration of at least 5 years immediately after his completion of the mandatory training within which period such member shall not be entitled to apply to be discharged or to apply to resign his commission under regulation 18.

(c) Any member who fails to comply or contravenes with sub-regulation (3)*(b)* is deemed to have committed an offence under section 43A.

PART 3

TERMS AND CONDITIONS OF SERVICE

Chapter 1

General

Medical standards

4. (1) Any person who applies to be commissioned or offers to be enlisted in the Armed Forces shall be required to undergo a medical examination to assess his medical standard.

(2) Any person whose medical condition is lower than the standard determined by the competent authority shall not be commissioned or enlisted in the Armed Forces.

(3) An officer may be required to retire and a soldier may be discharged, if at any time during his service, he is certified to be of a lower medical condition than the standard determined by the competent authority for the retention of officers or soldiers.

Entry requirements

5. The entry requirements required of applicants for commissioning or enlistment in the Armed Forces shall be determined by the competent authority.

Military standards

6. Upon satisfying the medical standards and entry requirements referred to in regulations 4 and 5, the applicants shall undergo such assessments as may be determined by the recruiting officer.

Ranks in Armed Forces

7. There shall be the following ranks in the Armed Forces —

(a) Commissioned Officers —

Field Marshal;
General;
Lieutenant General;
Major General;
Brigadier General;
Colonel;
Lieutenant Colonel;
Major;
Captain;
Lieutenant;
Second Lieutenant;

(b) Warrant Officers —

Warrant Officer Class I;
Warrant Officer Class II;

(c) Non-commissioned Officers —

Officer Cadet;
Staff Sergeant;
Sergeant;
Corporal;
Lance Corporal;

(d) Privates;

(e) Recruits.

Seniority

8. (1) The seniority of an officer shall be reckoned from the date of his appointment as an officer cadet; except that where any officer has been granted an antedate of seniority, his seniority date shall be reckoned from the date of such antedate according to the competent authority.

(2) The seniority of a soldier between those of the same rank is to be determined in accordance with their dates of promotion to that rank, except where provided to the contrary.

(3) The seniority of soldiers promoted on the same date is to be determined by the competent authority.

Precedence

9. An officer or soldier shall take precedence in accordance with his substantive rank and his seniority in that rank.

Appointments

10. Appointments and the ranks appropriate thereto in the Armed Forces shall be determined by His Majesty the Sultan and Yang Di-Pertuan.

Promotion

11. A member may be promoted under such conditions as may be prescribed.

Liability for service abroad

12. Subject to the provisions of the Act or any other written law, any member shall be liable to serve abroad.

Courses of instruction

13. Any member may be required to undergo such courses of instruction, either in Brunei Darussalam or elsewhere, as may be deemed necessary by the competent authority.

Person dismissed or discharged with ignominy not to be commissioned or enlisted in Armed Forces

14. Subject to the provisions of any written law provided for compulsory service in the Armed Forces, no person shall be commissioned or enlisted therein who has been dismissed with disgrace, dismissed, discharged with disgrace or discharged with ignominy, as the case may be, from the Armed Forces or from any Commonwealth force.

Chapter 2

Officers

Minimum age for commissioning

15. No person shall be commissioned in the Armed Forces until he has attained the age of 18 years.

Qualifications required for commission

16. The qualifications required of a person applying for a commission in the Armed Forces shall be determined by the competent authority.

Types of commission

17. The types of commission which may be granted by His Majesty the Sultan and Yang Di-Pertuan under section 8(2) to such persons as His Majesty the Sultan and Yang Di-Pertuan may think fit are as follows —

(a) honorary commission;

(b) regular commission;

(c) special commission.

Resignation

18. (1) An officer who has been commissioned prior to 1st August 2011 may apply to resign his commission under such conditions as may be determined by the competent authority.

(2) An officer who has been commissioned on or after the 1st August 2011 shall not be entitled to apply to resign from his service anytime during the compulsory engagement period set out in regulation 3(3).

(3) After the completion of the period of compulsory engagement, an officer may be entitled to apply to resign his commission by submitting an 18 months' notice of his intention to do so to his Commanding Officer and such receipt of the notice shall not in any way be deemed to imply an acceptance thereof. An officer who has applied under this sub-regulation shall only resign upon approval of His Majesty the Sultan and Yang Di-Pertuan.

(4) Any application made shall be considered by the Commander who shall advise His Majesty the Sultan and Yang Di-Pertuan:

Provided that such consideration by the Commander of an application shall not in any way be deemed to imply an acceptance thereof.

Extension of commission

19. An officer may apply for an extension of the commission granted to him in accordance with the instructions which shall be issued by the competent authority.

Chapter 3

Soldiers

Maximum age for enlistment

20. (1) No person, except for a graduate or a professional, shall be enlisted or re-enlisted in the Armed Forces after he has attained the age of 25 years unless it is considered by the competent authority to be in the interest of the Armed Forces to do so.

(2) If a person who is permitted to enlist or re-enlist after he has attained the age of 25 years has any previous service with the Armed Forces which is acknowledged on such enlistment or re-enlistment and duly confirmed, all or any part of such previous service may be allowed to count towards assessment of pay, allowances, pension or service gratuity in accordance with the provisions of Parts 4 and 5, but shall not be allowed to count as part of his current engagement.

(3) In this regulation, "graduate" means a member who holds a degree or higher qualification from a university or educational institution recognised by the competent authority.

Recruit

21. A person enlisted in the Armed Forces in accordance with the provisions of the Act is, until the completion of either of a period of 6 months' satisfactory service from the date of his attestation or of the period of his mandatory training, whichever is the greater, deemed to be a recruit unless —

(a) he is permitted to count any previous service with the Armed Forces towards the assessment of pay, allowances, pension or service gratuity; or

(b) he is enlisted as an officer cadet.

Resignation

22. (1) A soldier who has been enlisted prior to 1st August 2011 may apply to resign from his service subject to such requirements as may be determined by the competent authority.

(2) A soldier who has been enlisted on or after the 1st August 2011 shall not be entitled to apply to resign from his service anytime during the compulsory engagement period set out in regulation 3(3).

(3) After the completion of the period of compulsory engagement, a soldier may apply to retire from his service by submitting an 18 months' notice of his intention to do so to his Commanding Officer and such receipt of the notice shall not in any way be deemed to imply an acceptance thereof. A soldier who has applied under this sub-regulation shall only be discharged upon approval of His Majesty the Sultan and Yang Di-Pertuan.

PART 4

PAY AND ALLOWANCES

Chapter 1

General

Public or service claims

23. (1) The competent authority may, subject to the provisions of any written law, after due investigation, order a deduction from the pay of a member of the Armed Forces to meet any public or service claim that there may be against him.

(2) In this regulation —

"public claim" means any public debt or disallowance including any over issue or advance of pay made through an error as to the facts or any sum required to make good any loss, deficiency or irregular expenditure of public money, rations or stores of which no explanation satisfactory to the competent authority is given by the member who is responsible therefor;

"service claim" means any debt due to any such organisation as may be determined by the competent authority or any sum required to make good any loss or deficiency in any property of any such organisation of which no explanation satisfactory to the competent authority is given by a member who is responsible therefor.

Periods for forfeiture of pay

24. (1) A member is not deemed to be absent without leave for the purpose of these Regulations unless the absence is in excess of 6 consecutive hours.

(2) The number of days in any period of absence without leave shall be reckoned from the time when the absence commences, 24 hours being reckoned as one day, and any period of absence of less than 24 hours and more than 6 hours being also reckoned as one day.

(3) *(a)* Where a member has been imprisoned or otherwise detained or is hospitalised as specified in section 130(1)*(b)* and *(c)* for more than 6 consecutive hours or has, by reason of being so imprisoned or detained or admitted to hospital, been prevented from performing some duty which has thereby to be performed by some other person, such member is, for the purpose of forfeiture of pay, deemed to have been imprisoned or detained or is hospitalised for one day.

(b) Where a member thereafter remains imprisoned or detained or is hospitalised, every period of 24 hours or part thereof shall make up one day, such period being calculated from the time the imprisonment or detention or hospitalisation began.

Cessation of pay

25. (1) Except as provided in Chapter 5 of this Part, a member shall not be permitted to remain on full pay after attaining the age fixed for his retirement, unless he so remains in accordance with the provisions of any written law authorising his retention in the Armed Forces.

(2) A member who is dismissed or discharged from the Armed Forces, or whose commission is cancelled, shall be paid to the date preceding that on or from which he is so dismissed or discharged from his service.

(3) Except as provided in Chapter 5 of this Part, a member who retires or resigns from his service shall not receive full pay after the date preceding that on which he retires or resigns from his service.

Technical pay

26. A member in possession of such technical qualification as may be approved by His Majesty the Sultan and Yang Di-Pertuan may be granted technical pay at such rate as may be determined by the competent authority.

Qualification allowance

27. A member in possession of such qualification as may be approved by His Majesty the Sultan and Yang Di-Pertuan may be granted qualification allowance at such rate as may be determined by the competent authority.

No pay or allowance for local rank

28. A member who is granted a local rank which is higher than his substantive rank shall not be entitled to any increase in pay or allowances by reason only of the grant of such local rank; and service in such local rank shall not be reckoned as service in the higher rank for the purposes of increments in pay, allowances, retired pay, gratuity or for any other purpose whatsoever.

No quartering charges for accommodation in messes

29. (1) A single officer or senior rank, or an unaccompanied married officer or senior rank who accommodates in an officer's mess or senior rank's mess of the Armed Forces shall not be required to pay quartering charges in respect of such accommodation.

(2) In this regulation, "senior rank" means a soldier of the rank of Sergeant and above.

No occupation of private accommodation without authority

30. No member shall occupy any private accommodation without the authority of the competent authority.

Married quarters

31. (1) A married member who fulfills the requirements determined by the competent authority shall be eligible to occupy married quarters subject to such conditions determined by the competent authority.

(2) A member expelled from married quarters on account of the misconduct of himself or the spouse may be deprived by his competent authority of the privilege of further occupation of married quarters.

(3) *(a)* If a spouse of a member in married quarters dies or is separated from such member by reason of prolonged disability or absents from quarters beyond the period of approved leave and is not absent owing to prolonged disability, the member shall, if he has no child, be required to vacate the married quarters.

(b) Where the member has any children, the Commanding Officer may at his discretion permit him to remain in the quarters.

(4) Only one wife of a member shall be admitted to the privilege of occupying married quarters.

(5) Where a member who has been allotted married quarters subsequently fails to fulfill any conditions governing married quarters, he shall be required to vacate the married quarters from the date on which he failed to fulfill such conditions. The competent authority shall have the discretion whether to permit the member to remain in the quarters in such circumstances.

Quartering charges for married quarters

32. (1) When quarters are allotted to a married member, quartering charges (which may include charges for conservancy, scavenging and furniture) as may be determined by the competent authority, may be recoverable by deduction from the member's pay.

(2) The class of quarters allotted to a member shall, whenever possible, be in accordance with scales of accommodation as may be determined by the competent authority.

Electricity charges

33. Charges for the supply of electricity to a member's married quarters may be recovered from the member's pay at rates determined by the competent authority.

Living-out allowance

34. A married member who has been authorised to live outside the married quarters may be granted a living-out allowance at such rate and under such conditions as may be determined by the competent authority.

Clothing and necessaries

35. (1) A member shall receive free issues of clothing and necessaries on the scale approved by the competent authority.

(2) Except in cases of unfair wear and tear or negligence, unserviceable items of clothing and necessaries shall be replaced or repaired at Government expense.

(3) A member ordered to attend courses of instruction in any country or territory where the wearing of warm clothing is essential shall receive a free issue of warm clothing and may be granted such clothing allowances at rates and under such conditions as may be determined by the competent authority.

Overseas allowance

36. A member serving abroad may be granted an overseas allowance at such rate as may be determined by the competent authority for the country or territory in which he is serving.

Entertainment allowance

37. A member of the rank of Major or above in command of the Armed Forces or of any unit thereof may be granted an entertainment allowance appropriate to his rank and appointment at such rate as may be determined by the competent authority.

Flying allowance

38. A member may be granted flying allowance at a rate and under such conditions as may be determined by the competent authority.

Allotment of pay

39. The competent authority may order an allotment to be made from the pay granted under these Regulations to a member who has been officially declared a prisoner of war or missing, to or for the benefit of any person:

Provided that —

(a) the authority is satisfied that the member would contribute to or for the support of any such person if he were not a prisoner of war or missing;

(b) any allotment so ordered shall, subject to any other provisions of these Regulations governing allotments from the pay of members, be regarded as if it had been authorised by the member;

(c) any receipt given by the person to whom payment has been made shall be sufficient discharge.

Recall from Reserve Regiment

40. (1) On rejoining the Armed Forces from the Reserve Regiment, a member shall be paid according to the classification held at the date of his transfer to the Reserve Regiment and to the rank in which he rejoins.

(2) A reservist called up for annual training shall be paid at such rate as may be determined by the competent authority.

Publication

41. Any circumstance which affects a member's pay and allowances set out as an entry in the Unit Part II Orders shall be published by the Armed Forces.

Other allowances and benefits

42. A member may be granted other allowances or benefits at rates and under such conditions as may be determined by the competent authority.

Chapter 2

Officers

Rates of pay

43. (1) The rates of pay of rank for officers shall be determined by His Majesty the Sultan and Yang Di-Pertuan.

(2) The pay of an officer shall be issued monthly in arrears.

Date of commencement of entitlement to pay and allowances

44. Notwithstanding anything contained in these Regulations, where an officer who is commissioned as a Second Lieutenant commences, his service as such upon a date later than that specified in his commission, he shall only be entitled to his pay and allowances from the date of such commencement.

Honorary commissions

45. Officers holding honorary commissions in the Armed Forces granted under section 8(7) shall not be entitled to any pay or other emoluments authorised in these Regulations.

Payment on appointment or promotion

46. (1) The pay of an appointment or of the higher rank to which an officer is promoted shall be issued to him from the date of the vacancy to which he succeeds or from the date of assuming the duties of the appointment, whichever is later.

(2) When an officer is dismissed or imprisoned by sentence of court-martial, the vacancy in establishment shall be held to occur on the day on which the proceedings of the court-martial are signed by the president, subject to confirmation of the sentence by the confirming officer.

Acting rank

47. (1) Where the competent authority considers it necessary that an officer shall act in an appointment within an establishment, and such appointment carries a rank higher than the officer's substantive rank, the officer may be granted by the competent authority the acting rank appropriate to the appointment, and he shall receive the pay and allowances appropriate thereto for so long as he acts in the appointment:

Provided that he may only be granted an acting higher rank and shall only be paid the emoluments appropriate thereto if he acts in the appointment for a period of 28 consecutive days or more and there is no other officer holding the acting rank or in receipt of the emoluments appropriate thereto, at the same time.

(2) The period during which an officer holds the acting higher rank or receives the emoluments appropriate thereto shall not be reckoned as service in the higher rank for the purposes of seniority therein or of assessing entitlement to increments of pay or allowances in respect thereof.

(3) Where an officer has been granted acting rank in accordance with sub-regulation (1), he shall continue to be paid the emoluments appropriate thereto, notwithstanding his temporary absence from duty on account of sickness, attendance at

courses of instruction or authorised leave unless determined otherwise by the competent authority.

House keeping allowance

48. An officer may be granted a housekeeping allowance at a rate and under such conditions as may be determined by the competent authority.

Chapter 3

Officer cadets and recruits

Rates of pay and allowances for officer cadets and recruits

49. (1) The rates of pay and allowances for an officer cadet and a recruit shall be at such rate as may be determined by His Majesty the Sultan and Yang Di-Pertuan.

(2) The pay of an officer cadet and a recruit shall be issued monthly in arrears.

Chapter 4

Soldiers

Rates of pay and allowances for soldiers

50. (1) A soldier shall receive pay with effect from the date on which he is attested.

(2) The rates of pay and allowances for a soldier shall be at such rate as may be determined by His Majesty the Sultan and Yang Di-Pertuan.

(3) The pay of a soldier shall be issued monthly in arrears.

Reckonable service

51. Reckonable service shall be service rendered as a soldier on a current engagement, after attaining the age of 18 years, together with any reckonable former service with the Armed Forces, except for any periods which are not to be included as may be determined by the competent authority.

Special commission

52. A soldier holding special commission in the Armed Forces granted under section 8(2) may be granted antedates of seniority in recognition of his former service with the Armed Forces or for any qualification he holds, and may also receive a rate of pay to be determined by the competent authority.

Classification for pay

53. All soldiers and professionals below the rank of Sergeant shall, with the exception of those who have not completed 6 months' satisfactory service, be classified for pay in accordance with such conditions as may be determined by the competent authority.

Rates of pay according to vocation

54. The rates of pay according to vocation as may be determined by His Majesty the Sultan and Yang Di-Pertuan shall be paid to a soldier who has qualified in the tests laid down for soldiers by the competent authority subject to such conditions imposed by the competent authority.

Re-enlistment

55. (1) A soldier who re-enlists shall be paid at the minimum rate appropriate to his rank pending confirmation of his previous service and qualifications acknowledged on re-enlistment.

(2) When any previous service or qualifications are acknowledged and confirmed, the soldier shall receive such pay and allowance as are appropriate to his qualification and his total period of reckonable service, with effect from the date of re-enlistment.

Pay on reversion or reduction

56. (1) A soldier of the rank of Sergeant or above who is reduced, reverts to a rank below that of Sergeant, shall be classified for pay appropriate to such rank from the date of such reduction or reversion.

(2) A soldier who is reduced in rank for misconduct or inefficiency shall be reclassified for purposes of pay.

Payment on appointment or promotion

57. (1) The pay of an appointment or of the higher rank to which a soldier is promoted shall be issued to him from the date of the vacancy to which he succeeds or from the date of assuming the duties of the appointment, whichever is later.

(2) When a soldier is reduced in rank by sentence of court-martial, the vacancy in establishment shall be held to occur on the day on which the proceedings of the court-martial are signed by the president, subject to confirmation of the sentence by the confirming officer.

Acting rank

58. (1) Paid acting rank may be granted to a soldier who is posted into or has filled for 28 consecutive days or more, a vacancy in an establishment which carries a higher rank than his substantive rank.

(2) Paid acting rank shall entitle the holder to the appropriate pay and allowance with effect from the date of appointment.

(3) A soldier holding an acting rank shall revert to his substantive rank on ceasing to fill the vacancy on the establishment of his unit for which the acting rank was granted, unless retention of such rank or appointment is authorised under such conditions as may be imposed by the competent authority.

Pay on acquittal

59. (1) A soldier who is subsequently acquitted of any charge shall receive full pay from the date on which he was first placed in confinement in respect of such conviction.

(2) A soldier whose trial has been dispensed with on his signed confession that he has been guilty of desertion or fraudulent enlistment may suffer such forfeitures of, and deductions from, pay as the competent authority may direct.

Pay under sentence of discharge

60. A soldier sent home from abroad under sentence of imprisonment or detention and to be discharged in Brunei Darussalam shall receive no pay either while waiting to embark or during the voyage, even though he may not be in close confinement:

Provided that if the period of imprisonment or detention to which he has been sentenced expires before his arrival in Brunei Darussalam, he shall be entitled to full pay from the date of such expiry.

Chapter 5

Pay during absence from duty owing to sickness, wounds or injury

Full pay for temporary absence from duty not exceeding 18 months

61. (1) Subject to any conditions as may be determined by the competent authority, a member shall be entitled to his pay and allowances for any period of temporary absence from duty because of sickness which is certified by a medical officer to the satisfaction of the competent authority.

(2) A member shall be entitled to his pay and allowances while on sick leave granted on the recommendation of a medical board with a view to ultimate return to duty:

Provided that no pay and allowances may be drawn for any period of sick leave so granted in excess of 18 months subject to the competent authority's recommendation.

(3) For the purpose of calculating the period of 18 months referred to in sub-regulation (2) —

(a) periods of absence due to the same disability;

(b) periods of absence separated by a continuous period of duty of less than 6 months duration; and

(c) periods of absence due to other disability not separated by a period of duty of any duration,

shall be aggregated.

Member unfit for duty to be retired, discharged or transferred

62. (1) Except as provided in regulation 63, a member who is unfit for duty shall not be retained in the Armed Forces beyond the date of termination of his commission or service, as the case may be, but shall be retired or discharged from the Armed Forces, or transferred to the Reserve Regiment in the normal way.

(2) If not later than 5 months before the termination of his commission or service, as the case may be, a member falls ill or sustains an injury which causes him to be absent from duty to the day preceding that on which he is due to begin leave prior to retirement or discharge, he shall be retired or discharged from the Armed Forces, or transferred to the Reserve Regiment in the normal way.

(3) Where a member who still has an appreciable period to serve is declared by a medical board to be unfit for further military service due to some disability, he may be discharged from the Armed Forces forthwith.

Hospital treatment

63. (1) Where a member who is receiving in-patient hospital treatment continues to require such treatment on the date on which he would normally complete his service, he shall be retained on full pay until the findings of a medical board are known.

(2) For the purposes of sub-regulation (1), the medical board shall be held either when the in-patient hospital treatment ceases to be required or when 5 months have elapsed from the date when the member was first absent from duty, whichever is earlier.

Temporary suspension of service

64. (1) If at any stage a medical board forms the opinion that there is no reasonable prospect that a member will become fit for duty within 18 months, an action may be taken forthwith to suspend his service temporarily; and he may be discharged from the Armed Forces.

(2) If a member is undergoing in-patient hospital treatment, his service shall not be suspended under sub-regulation (1) from the Armed Forces until the opinion of a medical board after the member's 5 months' absence from duty is available.

(3) If contrary to the earlier expectations of a member who has been retained in the Armed Forces under regulation 61 is not likely to be fit for duty on the expiration of 18 months, action may be taken to suspend his service temporarily; and he may be discharged from the Armed Forces.

Re-employment of member discharged or suspended from service temporarily

65. The competent authority may authorise the re-employment of a member who has been discharged from the Armed Forces under regulations 62 and 64 if such member subsequently becomes fit for duty and his services are required.

Chapter 6

Conveyance at Government expense, travelling and subsistence allowance

Travelling on duty

66. A member shall be entitled to conveyance at Government expense when travelling on military duty.

When travelling expenses to be paid

67. (1) Travelling expenses shall be paid to a member to meet his expenses while travelling on duty.

(2) No travelling expenses shall be payable to a member when —

(a) troops are moved on change of station;

(b) troops are on operations, training or on the line of march; or

(c) a member is temporarily attached to a unit other than his own.

Subsistence allowance

68. A member while being on duty abroad shall be eligible for subsistence allowance at a rate to be determined by the competent authority.

Rates of travelling allowance

69. The rates of travelling allowance for a member shall be at such rate as may be determined by the competent authority.

Claims for allowances

70. Claims for allowances shall be submitted to the Commanding Officer or his nominee.

Subsistence allowance for families

71. Subsistence allowance may be payable when the spouse and children of a member are eligible for conveyance at public expense and have to make their own arrangements for food and accommodation, at such rate as may be determined by the competent authority.

Instructions

72. The competent authority may issue detailed instructions governing the circumstances in which allowances authorised by this Chapter may be claimed.

Leave travel

73. (1) *(a)* A member who travels on annual leave within Brunei Darussalam shall be entitled to conveyance at Government expense to and from his station or place of duty twice a year for himself, spouse and children.

(b) A member who is on sick leave which was granted on the recommendation of a medical board or in the case of a soldier, on leave after completing training or on leave granted after extension of service, shall be entitled to conveyance at Government expense to and from his station or place of duty for himself, spouse and children:

Provided that the spouse or children of such member is occupying married quarters or living in private accommodation at the station or place of duty.

(c) The total distance travelled in any one year chargeable under this sub-regulation to Government shall not exceed the limit stipulated in respect of such travel by the competent authority.

(2) *(a)* A member who is temporarily resident on duty in a country or territory outside Brunei Darussalam shall be entitled to conveyance at public expense within that country or territory to and from his station or place of duty in accordance with the provisions of sub-regulation (1).

(b) The total distance for the return journey chargeable to Government shall not exceed the limit stipulated in respect of that country or territory by the competent authority.

Change of station

74. (1) On change of station or place of duty, the spouse, children and baggage of a member occupying married quarters or living in private accommodation at such station or place of duty may be conveyed at Government expense to the new station or place of duty if suitable married quarters or private accommodation are available for them in that place.

(2) When suitable married quarters or private accommodation are not available in the station or place of duty, the spouse and children of a member who are living with him at his old station or place of duty may be conveyed at Government expense to a selected place of residence in Brunei Darussalam.

(3) If suitable married quarters or private accommodation subsequently becomes available in the new station or place of duty, the spouse and children and baggage may be conveyed thereto at Government expense.

(4) Where the spouse and children of a member who are required to vacate married quarters or private accommodation at a station or place of duty as a result of the member being absent without leave or having been sentenced to a term of imprisonment, they shall not be entitled to conveyance at Government expense either for themselves or for their baggage.

Death of member's spouse

75. (1) A member whose spouse dies whilst she is living with him in married quarters or in private accommodation at his station or place of duty, shall be entitled to arrange for his children and baggage to be conveyed at Government expense to his home or the home of a guardian appointed by him and he may, at the discretion of the competent authority, be allowed to accompany them and to return to his station or place of duty at Government expense.

(2) In this regulation, "guardian", in relation to a child, means any person other than his natural parents who has legal custody of the child.

Death of member

76. (1) The spouse of a member who dies in service while living with him in married quarters or private accommodation at his station or place of duty, shall together with the children and baggage be conveyed at Government expense to a selected place of residence.

(2) Where a member dies and whose spouse was not living with the member at his station or place of duty, the spouse may be conveyed at Government expense to and from the place at which the funeral is to take place.

(3) Where an unmarried member dies, not more than two of his relatives may be conveyed at Government expense to and from the place at which the funeral is to take place.

Member dangerously ill

77. (1) Where a member is certified as dangerously ill, not more than two of his relatives may be conveyed at Government expense to and from the hospital or other place at which the member is located.

(2) The conveyance of relatives authorised by sub-regulation (1) may be repeated every 2 weeks if the member remains certified as dangerously ill for a prolonged period.

(3) If the death of a member appears imminent, the interval imposed by sub-regulation (2) may be reduced by the competent authority or by the medical officer responsible for the case.

Member ill in hospital for prolonged periods

78. Where, owing to sickness or injury, a member has been confined continuously in a hospital, sanatorium or similar establishment in or outside Brunei Darussalam —

(a) for 6 months or more; or

(b) where, at any time before the expiration of 6 months from the date of admission to such hospital, sanatorium or similar establishment, the appropriate medical authority certifies that the confinement of a member in such circumstances is likely to be for not less than 6 consecutive months,

not more than two relatives of the member may be conveyed at Government expense to and from the hospital, sanitorium or similar establishment once in every 6 months for the purpose of visiting the member.

Attendance at investitures

79. (1) When a member residing in Brunei Darussalam is summoned to attend an investiture to receive an award, he shall be conveyed to and from the place of investiture at Government expense.

(2) Where a posthumous award is made, the surviving spouse or a relative shall be conveyed to and from the place of investiture at Government expense to receive the award:

Provided that where the member leaves the surviving spouse, only the surviving spouse shall be entitled to such conveyance.

(3) For the purposes of sub-regulations (1) and (2), two relatives of the recipient may, if the recipient so desires and if they are residing in Brunei Darussalam at that time, be conveyed to and from the place of investiture at Government expense.

Termination of service

80. A member shall on termination of his service or engagement or on transfer to the Reserve Regiment be entitled to conveyance at Government expense for himself, his spouse and children residing with him at the time, and his baggage, to his home or to a selected place of residence in Brunei Darussalam, unless the service or engagement has been terminated for misconduct or by sentence of a court-martial.

Reservists

81. (1) An officer of the Reserve Regiment, an army reservist or an army pensioner recalled for further service or summoned to a medical board shall be conveyed at Government expense from his home to the place of reporting and back.

(2) An officer or a soldier of the Reserve Regiment who volunteers and is accepted for re-employment shall not be conveyed at Government expense to the place at which he is ordered to report for duty.

Hospital treatment

82. A member and any member of his family living with him at his station or place of duty either in married quarters or private accommodation, shall be conveyed at the Government expense to and from the hospital if they are entitled to hospital treatment, the cost of which is chargeable in whole or in part to the Government.

Examination

83. A member attending an examination approved by the competent authority shall be conveyed to and from the place of examination at Government expense and shall be entitled to such travelling allowances as may be determined by the competent authority.

Funeral

84. A member ordered to attend a funeral may be conveyed to and from the place of burial at Government expense and shall be entitled to such travelling and subsistence allowances as may be determined by the competent authority.

Court-martial

85. A member attending a court-martial, court of inquiry or of the taking of a summary or abstract of evidence as a witness shall be conveyed at Government expense and shall be entitled to such travelling and subsistence allowances as may be determined by the competent authority.

Attendance at civil and criminal courts

86. (1) Where a member attends a civil or criminal court as a witness on matters connected with him in his official capacity, he shall be entitled to conveyance at Government expense and to such travelling and subsistence allowances as may be determined by the competent authority.

(2) Where an officer attends a criminal court when any soldier is charged with having committed an offence, he shall be entitled to conveyance at Government expense and to such travelling and subsistence as may be determined by the competent authority.

(3) Where a member, during or after his service, is a party to an action in a civil or criminal court and is represented therein by counsel provided at Government expense, he and any witnesses whom the Government may call shall be entitled to conveyance at Government expense, and to such travelling and subsistence allowance as may be determined by the competent authority.

(4) Except as provided in sub-regulations (1), (2) and (3), a member attending a civil or criminal court in any other capacity shall not be entitled to conveyance at Government expense or to travelling and subsistence allowance.

(5) All court fees, legal costs and allowances in cases covered in this regulation shall be refunded to Government.

Social function

87. A member who attends a private social function shall not be entitled to travelling and subsistence allowances or conveyance at Government expense.

Scales of baggage conveyed at Government expense

88. The weight, dimensions and cubic capacity of baggage which under this Chapter may be conveyed at Government expense shall be at such rate as may be determined by the competent authority.

Class of travel

89. (1) The class of travel to which an officer, officer cadet and a soldier shall be entitled when travelling by air, sea or rail shall be determined by the competent authority.

(2) Where the spouse, child or other relatives of an officer, officer cadet or a soldier is entitled under this Chapter to conveyance at Government expense, they shall be entitled to the same class of accommodation as the officer, officer cadet or soldier.

Chapter 7

Rations and ration allowance

Entitlement to rations and ration allowance

90. An officer, officer cadet or a soldier of the Armed Forces shall be entitled to receive free rations or an allowance *in lieu* thereof for every day on which he is entitled to full pay subject to such conditions as may be imposed by the competent authority.

Circumstances in which ration allowance issuable

91. Ration allowance *in lieu* of rations shall be issued to an officer, officer cadet or a soldier in receipt of full pay when —

(a) he is on leave for any period in excess of 24 hours;

(b) with the approval of the Commanding Officer, he is living with his family at or near his station either in married quarters or in private accommodation;

(c) he is in receipt of subsistence allowance under regulation 68 or travelling allowance under regulation 69;

(d) he is authorised to be absent from his normal duty or to be employed otherwise than with the Armed Forces:

Provided that he is not fed at Government expense whilst so absent or employed; or

(e) when the Commanding Officer certifies that for medical or other reasons it is essential that he should not be a dining member of a mess.

Rates and periods of issue of ration allowance

92. (1) Ration allowance shall be payable at such daily rate or rates to be determined by the competent authority.

(2) Ration allowance shall be payable for complete periods of 24 hours commencing at midnight.

Circumstances in which ration allowance is not payable

93. Ration allowance shall not be payable —

(a) for periods of absence without leave;

(b) when a member is fed at Government expense in, military or civil hospitals, or military or civil prisons; or

(c) for periods spent travelling by sea, air or rail when all meals are provided at Government expense.

Ration allowance overseas

94. Officers or soldiers serving overseas shall be entitled to ration allowance in the circumstances described in regulation 91 at such rate or rates as may be determined by the competent authority, for the country or territory in which they are serving.

PART 5

SAVING

No claim as of right to benefits if regulations amended or repealed

95. Except where provision is or may hereinafter be expressly made to the contrary in any written law, no person shall be entitled to claim as of right any promotion, emolument or other benefit conferred by any provision of these Regulations in the event of such provision being at any time amended or repealed.

PART 6

DISCHARGE BY PURCHASE

Discharge by purchase

96. His Majesty the Sultan and Yang Di-Pertuan may issue instructions setting out the circumstances in which and the conditions under which a recruit or an officer cadet may be permitted to purchase his discharge under section 19.

PART 7

GENERAL

Administrative instructions

97. The competent authority may make administrative instructions not inconsistent with the provisions of the Act or any regulations, rule or General Orders made thereunder as it may consider necessary or expedient for the purpose of these Regulations.