IN THE THIRD MEETING OF THE SECOND SESSION OF THE SEVENTH PARLIAMENT OF THE FOURTH REPUBLIC OF GHANA

REPORT OF THE

COMMITTEE ON SUBSIDIARY LEGISLATION

ON THE

ARMED FORCES (AMENDMENT) REGULATIONS, 2018, (C.I. 108)

NOVEMBER 2018.
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1.0 INTRODUCTION

The Armed Forces (Amendment) Regulations, 2018, (C.I. 108) was laid before Parliament on Thursday, 26th September 2018 in accordance with Article 11(7) of the Constitution. Pursuant to Orders 77 and 166 of the Standing Orders of Parliament, the Rt. Hon. Speaker referred the Instrument to the Committee on Subsidiary Legislation for consideration and report.

2.0 REFERENCE DOCUMENTS

The Committee referred to the following documents during its deliberations:

i. The Constitution
ii. The Standing Orders of Parliament
iii. The Armed Forces Act, 1962, (Act 105)
iv. The Armed Forces Regulations, 1970 (C.I. 12)
v. The Armed Forces Regulations, 1986 (L.I. 1332)

3.0 DELIBERATIONS

The Committee met with the Hon. Minister for Defence, Mr. Dominic Nitiwul and officials of the Ministry of Defence and the Ghana Armed Forces. In attendance were Officials of the Office of the Attorney-General and Ministry of Justice to assist in the deliberations.

4.0 BACKGROUND

4.1 In line with the provisions of the Armed Forces Regulations, 1986 (L.I. 1332), Men of the Other Ranks of the Ghana Armed Forces are allowed to serve in the military for a maximum
period of twenty (25) years after they have been recruited. After this period, they are required to proceed on compulsory retirement. Over the years, this provision has caused and continues to cause general dissatisfaction among the Other Ranks and file of the Ghana Armed Forces.

4.2 The concern has been that currently, the Men join the Armed Forces at an early age and therefore active after serving twenty-five (25) years in the Service. More often than not, the men are still young at the time of their retirement and employable. During wartime, Militaries around the world recruit and retire the Men at a young age but in peacetime as we currently experience, the need for many experienced Soldiers cannot be underestimated. As a way of addressing the dissatisfaction, the Government has decided to increase the number of years served by the Men from twenty-five (25) years to thirty (30) years. Hence, the amendment of the Armed Forces Regulations to make provision to include a further five (5) year period to the years of engagement.

5.0 OBSERVATIONS
The Committee observed that, these ex-service Men are still physically fit to work a few more years post their current retirement. An additional period of five (5) years in the Service, prolonging the service life of the Men of the Other Ranks to thirty (30) years instead of the current twenty five (25) years would ensure that the Men are in active service for a longer period. The extra five (5) years added to the service life of the Soldiers as observed by the Committee, does not infringe on any of the laws of the Country.
6.0 **RECOMMENDATION AND CONCLUSION**

6.1 The Committee examined the Regulations within the general objects of the Constitution and the Armed Forces Act, 1962, (Act 105) and is of the view that the coming into force of the Instrument would serve a social good as it will guarantee maximum dedication and commitment of the Men, while serving in the Armed Forces.

6.2 The Committee accordingly recommends to the House to adopt its Report and allow the Armed Forces (Amendment) Regulations, 2018, (C.I. 108) to come into force in accordance with Article 11(7) of the Constitution.

Respectfully submitted.

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ERIC OWUSU-MENSAH
CLERK TO THE COMMITTEE

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HON. BERNARD AHIAFOR
VICE - CHAIRMAN

NOVEMBER 2018.