

No. S 82

**ROYAL BRUNEI ARMED FORCES ACT
(CHAPTER 149)**

**ROYAL BRUNEI ARMED FORCES (PENSIONS) (AMENDMENT)
REGULATIONS, 2012**

ARRANGEMENT OF REGULATIONS

Regulation

1. Citation and commencement.
2. Amendment of regulation 2 of S 17/86.
3. Amendment of regulation 9.
4. Substitution of regulation 12.
5. Substitution of regulation 13.
6. Amendment of regulation 15.
7. Amendment of regulation 16.

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In exercise of the power conferred by section 208(1) of the Royal Brunei Armed Forces Act, His Majesty the Sultan and Yang Di-Pertuan hereby makes the following Regulations —

Citation and commencement.

1. These Regulations may be cited as the Royal Brunei Armed Forces (Pensions) (Amendment) Regulations, 2012 and shall be deemed to have commenced on 1st August 2011.

Amendment of regulation 2 of S 17/86.

2. Regulation 2 of the Royal Brunei Armed Forces (Pensions) Regulations, 1986, in these Regulations referred to as the principal Regulations, is amended by deleting the definition of “short service commission officer”.

Amendment of regulation 9.

3. Regulation 9 of the principal Regulations is amended, in sub-regulation (1) —

(a) in paragraph (i), by inserting “for a member commissioned or enlisted before 1st August 2011” immediately after “service”;

(b) by inserting the following new paragraph immediately after paragraph (i) —

“(ia) on completion of 18 years military service for a member commissioned or enlisted on or after 1st August 2011 or for a soldier who has opted to be engaged under the revised terms of engagement;”.

Substitution of regulation 12.

4. Regulation 12 of the principal Regulations is repealed and the following new regulation substituted therefor —

“To whom and at what rates pension to be granted.

12. (1) Subject to the provisions of these Regulations, every officer —

(a) commissioned before 1st August 2011 and who has completed 15 years or more military service; or

(b) commissioned on or after 1st August 2011 and who has completed 18 years or more military service,

may be granted on discharge from military service a pension at the annual rate of one four hundred and fiftieth of his pensionable emoluments for each complete month of his pensionable military service up to a maximum of 300 months:

Provided that the officer may, if he has completed more than 25 years military service, be granted an additional pension at the annual rate of one sixtieth of his pensionable emoluments for each year of military service he has completed in excess of 25 years.

(2) Subject to the provisions of these Regulations, every soldier enlisted before 1st August 2011 and who has completed 15 years or more military service, may be granted on discharge from military service, a pension at the annual rate of one three hundred and sixtieth of his pensionable emoluments for each complete month of his pensionable military service up to a maximum of 240 months:

Provided that the soldier may, if he has completed more than 20 years military service, be granted an additional pension at the annual rate of one sixtieth of his pensionable emoluments for each year of military service he has completed in excess of 20 years.

(3) Subject to the provisions of these Regulations, every soldier —

(a) enlisted on or after 1st August 2011; or

(b) who has opted to be engaged under the revised terms of engagement has completed 18 years or more military service,

may be granted on discharge from military service, a pension at the annual rate of one three hundred and sixtieth of his pensionable emoluments for each complete month of his pensionable military service up to a maximum of 276 months:

Provided that the soldier may, if he has completed more than 23 years military service, be granted an additional pension at the annual rate of one thirty-sixth of his pensionable emoluments for each year of military service he has completed in excess of 23 years.”.

Substitution of regulation 13.

5. Regulation 13 of the principal Regulations is repealed and the following new regulation substituted therefor —

“Gratuities where length of military service does not qualify for pension.

13. Every member, otherwise qualified for a pension, who has been in military service for not less than 5 years but has not completed —

(a) 15 years for a member commissioned or enlisted before 1st August 2011; or

(b) 18 years for a member commissioned or enlisted on and after 1st August 2011 or for a soldier who has opted to be engaged under the revised terms of engagement,

may be granted on discharge from military service gratuity not exceeding 5 times the annual amount of the pension which, if there had been no qualifying period, might have been granted to him under regulation 12.”.

Amendment of regulation 15.

6. Regulation 15 of the principal Regulations is amended, in paragraph (a), by inserting “or “eighteen years or more” ” immediately before “were” in the last line.

Amendment of regulation 16.

7. Regulation 16 of the principal Regulations is amended, in sub-regulation (1), by repealing sub-paragraph (i) and by substituting the following new sub-paragraph therefor —

“(i) he may, if his discharge from military service is thereby necessitated or materially accelerated and he has been in military service —

(ia) in the case of a member commissioned or enlisted before 1st August 2011, for less than 15 years; or

(ib) in the case of a member commissioned or enlisted on or after 1st August 2011 or for a soldier who has opted to be engaged under the revised terms of engagement, for less than 18 years,

be granted, *in lieu* of any gratuity under regulation 13, a pension under regulation 12 as if the words “15 years or more military service” or “18 years or more military service” were omitted from regulation 12.”.

Made this 29th. day of Muharram, 1434 Hijriah corresponding to the 13th. day of December, 2012 at Our Istana Nurul Iman, Bandar Seri Begawan, Brunei Darussalam.

HIS MAJESTY
THE SULTAN AND YANG DI-PERTUAN
BRUNEI DARUSSALAM