B 2914

L.N. 315 of 2023

MALTA ARMED FORCES ACT
(CAP. 220)

Appointments and Conditions of Service of the Regular Force (Amendment) Regulations, 2023

IN EXERCISE of the powers conferred by article 4 of the Malta Armed Forces Act, the President of Malta has made the following regulations:-

Citation.

1. The title of these regulations is the Appointments and Conditions of Service of the Regular Force (Amendment) Regulations, 2023 and these regulations shall be read and construed as one with the Appointments and Conditions of Service of the Regular Force Regulations, hereinafter referred to as the "principal regulations".

S.L. 220.03.

Amends regulation 2 of the principal regulations.

2. In regulation 2 of the principal regulations, immediately after the definition "force" there shall be added the following new definition:

"partner" shall have the same meaning as assigned to it in the Civil Unions Act;".

Cap. 530.

Adds new regulations to the principal regulations.

3. Immediately after regulation 12 of the principal regulations there shall be added the following new regulations:

"Increase in pensionable emoluments.

12A. (1) The provisions of this regulation shall apply to officers in service on or after 1st October 2023:

Provided that officers who retired during the year 2023 because they reached pension age or were medically boarded out shall also benefit from these provisions:

Provided further that these provisions shall apply to officers who were reinstated as members of the force as long as they serve for a period of at least four (4) years from the date of reinstatement, as stipulated in sub-regulation (2).

(2) Save as otherwise expressly provided in the Act and any subsidiary legislation made thereunder, an officer who has completed the twenty-five (25) years of service and who decides to remain in the force for an additional period of four (4) years shall be entitled to an increase of twenty-three per cent (23%) in his pension.

(3) If the officer continues to serve beyond the twenty-nine (29) years in the service in accordance with sub-regulation (2), he shall be entitled to an additional sum equivalent to six (6) months' basic salary for each additional year of service, which additional period of service for the purposes of the said payment shall not exceed a maximum of four (4) years of service.

(4) Without prejudice to sub-regulation (3), the officer shall be granted a gratuity on a *pro rata* basis if a full year or years of additional service have not been completed due to illness or if the officer has reached retirement age as defined in the Social Security Act.

Cap. 318.

(5) Gratuities in accordance with these regulations shall be payable on retirement of the officer or on completion of thirty-three (33) years of service.

Pensionable emoluments to surviving spouse or partner. Cap. 318.

12B. Where an officer dies before reaching his pension age as defined in the Social Security Act, whether he is still in service as well as if he already retired and is receiving a pension under the Act, the surviving spouse or partner shall be paid a widows pension for a period not exceeding five (5) years from the death of the said officer, or until the date when the officer would have reached the said pension age, whichever comes first. The widows pension shall be equivalent to the proportion indicated in the Twelfth Schedule to the Social Security Act, equivalent to two-thirds of the basic salary of the officer on his death or on his retirement, as applicable:

Provided that the pension shall only be granted if the said officer has served in the force for a period of at least ten (10) years:

Provided further that the provisions of this regulation shall apply retroactively in case of officers who were deceased on or after 1st January 2022, but before the coming into force of these regulations.".

Ippubblikat mid-Dipartiment tal-Informazzjoni (doi.gov.mt) — Valletta — ***Published by the Department of Information (doi.gov.mt) — Valletta***
Mitbugħ fl-Istamperija tal-Gvern fuq karta FSC — ***Printed at the Government Printing Press on FSC certified paper***
Prezz/*Price*
€0.27