

MALAWI GOVERNMENT

(Published 2nd February 2018)

Act

No. 7 of 2018

I assent

PROF. ARTHUR PETER MUTHARIKA
PRESIDENT
24th January, 2018

ARRANGEMENT OF SECTIONS

SECTION

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45. Amendment of s.228 of the principal Act
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An Act to amend the Defence Force Act

ENACTED by the Parliament of Malawi as follows—

- | | |
|---------------------------------------|--|
| Short title | 1. This Act may be cited as the Defence Force (Amendment) Act, 2018. |
| Amendment to long title of Cap 12:01 | 2. The long title to the Defence Force Act (hereinafter referred to as “the principal Act”) is amended, by inserting the word “operations” between the words “establishment” and “administration”. |
| Amendment of s.2 of the principal Act | 3. Section 2 of the principal Act is amended, by inserting in the correct alphabetical order, the following new definitions— <ul style="list-style-type: none"> “admonition” means a verbal warning; “brigade” means a formation of units; “discharge with ignominy” means dishonourable discharge; “cashiering” means dismissal of an officer from the position of responsibility with disgrace for breach of discipline; “Chairperson” means the Chairperson of the Defence Council constituted under section 10; |

“civilian court” means a court established by a written law other than a court-martial;

“Commander-in-chief” means the President of the Republic of Malawi in terms of section 78 as read with section 161 of the Constitution;

“directorate” means a department of the Defence Force declared in charge of a particular activity;

“High Command” means the Commander, a Deputy Commander and a senior officer designated as Chief of Staff;

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

“navigator” means an officer or soldier excluding a member holding the rank of private responsible for planning and overseeing the execution of the course of a vessel;

“reprimand” means a serious written warning; and

“subaltern” means an officer below a field rank;”.

4. Section 4 of the principal Act is repealed and replaced by the following new section 4—

Replacement
of s.4 of the
principal Act

“Establish-
ment and
maintainance
of the
Defence
Force

4.—(1) There shall be established and maintained in Malawi, a Defence Force to be known as the Malawi Defence Force (in this Act referred to as “Defence Force”) which shall consist of the following services—

- (a) the Army;
- (b) the Air Force; and
- (c) the Maritime Force.

(2) Each of the services of the Defence Force established under subsection (1) shall consist of the following components—

- (a) the Regular Force;
- (b) the Reserve Force; and
- (c) the Militia.

(3) Subject to the provisions of Chapter XVI of the Constitution and the directions from the Defence Council, the components specified in subsection (1) may be formed into units, brigades or directorates as the Defence Council may, from time to time, determine.”.

Replacement of
s.10 of the
principal Act

"The Defence
Council

5. Section 10 of the principal Act is repealed and replaced by the following new section 10—

10.—(1) There shall be a Defence Council which shall be responsible for the command, discipline and administration of the Defence Force.

(2) The Defence Council shall be subject to—

(a) the powers of command of the Commander-in-Chief of the Defence Force;

(b) the Constitution and this Act; and

(c) the general and special directions of the Minister.

(3) The members of the Defence Council shall be—

(a) the Minister who shall be the Chairperson of the Defence Council;

(b) the Chief Secretary to the Government;

(c) the Defence Force Commander;

(d) the Solicitor General;

(e) a Deputy Defence Force Commander;

(f) the Secretary responsible for Defence; and

(g) an officer holding the position of or designated as the Chief of Staff.

(4) The Defence Council shall have powers to co-opt any other person as a member of the Defence Council, from time to time, as it may decide.

(5) In the event of any member of the Defence Council being, for any reason, unable to perform his duties as a member, he may, with the approval of the Chairperson, nominate a person to perform his duties during his inability.

(6) The Chairperson may nominate any person to perform the duties of the Chairperson, at any meeting of the Defence Council at which the Chairperson is absent.

(7) Two-thirds of the members of the Defence Council, not including the co-opted members, shall form a quorum at any of the meetings of the Defence Council.

(8) The Defence Council shall meet every three months and the Secretary responsible for Defence, in collaboration with the Chief of Staff, shall prepare the agenda for the meetings.

(9) The Defence Council may establish its own committees to carry out any special or general functions as it may determine, and may delegate to any of such committees such functions, as it may consider expedient.

(10) A member of the Defence Council shall, before he assumes office, be required to take an oath of secrecy which shall be in the form as set out in the First Schedule hereto."

6. The principal Act is amended by inserting, immediately after Part II of the principal Act, a new Part II A, as follows—

Insertion of
Part II A of
the Principal
Act

"PART II A

DEFENCE AND SECURITY COMMITTEE

Function of
Defence and
Security
Committee

11A. The Defence and Security Committee of the National Assembly, established under section 162 of the Constitution, shall—

(a) oversee the functioning of the Defence Council;

(b) ensure that the Defence Force are well resourced to carry out their functions;

(c) oversee the implementation of policies, legislation, decisions and budgets of the Defence Force;

(d) review and report on defence and security budget funds;

(e) consider international or regional treaties and arrangements relating to the Defence Force; and

(f) perform any other functions as conferred on it under the Constitution or the Standing Orders of the National Assembly."

Oath for
members of
Defence and
Security
Committee

11B. A member of the Defence and Security Committee or any officer serving the Defence and Security Committee shall, before he assumes office, be required to take an oath of secrecy which shall be in the form as set out in the Second Schedule hereto.

Replacement of
s.12 of the
principal Act

7. Section 12 of the principal Act is repealed and replaced with the following new section 12—

"Commissions
Board

12.—(1) A person shall not be granted a commission in the Defence Force, unless he has been recommended by a Commissions Board.

(2) The Commissions Board shall comprise the following members—

(a) a Deputy Commander, who shall be the chairperson;

(b) an officer designated as the Chief of Staff;

(c) the Chief of Human Resources, Management and Development;

(d) the Chief of Legal Services;

(e) the Chief of Training;

(f) the Chief of Medical Services; and

(g) the Commandant of the Malawi Armed Forces College who shall be the secretary."

(3) The Commissions Board shall report to the Defence Council.

Amendment
of s.14 of the
principal Act

8. Section 13 of the principal Act is repealed and replaced with the following new section 13—

"Grant of
Commissions

13.—(1) The power to grant a commission in the Defence Force vests in, and shall be exercised only by, the Commander-in-Chief.

(2) A commission may be granted for—

(a) an indefinite period of time; or

(b) a period of five years subject to renewal for two years.

(3) Every officer on being granted a commission shall take an oath of allegiance to the Republic, in the form set out in the Third Schedule hereto, and shall be issued with a commission scroll signed by the Commander-in-Chief in the form set out in the Fourth Schedule hereto.

(4) For the avoidance of doubt, nothing in this section shall be construed as affecting the validity of the commission of any person commissioned before the commencement of this Act."

9. Section 14 of the principal Act is amended, in subsection (1), by adding a new paragraph (d), as follows—

Replacement of s.15 of the principal Act

“(d) if he has been charged with a civil offence and the charge has been pending against him for such a period of time and in the opinion of the Commander, the officer can no longer be retained in the service.”.

10. Section 15 of the principal Act is repealed and replaced with the following new section 15—

Replacement of s.15 of the principal Act

“Compulsory retirement and discharge

15.—(1) Subject to the provisions of subsection (4), an officer shall be required to retire from his employment in the Force—

(a) on being given three months' notice, in writing, by the Commander should there be no establishment for him in his present rank, and no reasonable future prospects of promotion for him;

(b) if he is found by a Medical Board to be physically or mentally unfit to continue in further service;

(c) on completion of his term of engagement, except where further engagement from year to year is authorized by the Minister on the recommendation of the Commander;

(d) subject to subsections (3) and (4), whatever the length of his pensionable service, on attaining the age of 62 years; or

(e) if a charge for a civil offence is pending against the officer for a period of time and the Commander is of the opinion that the officer can no longer be retained in the service.

Amendment of s. 20 of the principal Act

(2) The High Command may defer, until the age of 65 years, the retirement of certain cadre of professional officers, as may be determined from time to time.

(3) The mandatory retirement age for general officers shall be the age of 65 years.

(4) An officer shall not be required to retire under subsection (1), unless—

(a) there has been a recommendation for the retirement by the promotion board, subject to annual appraisal;

(b) there has been an approval by the Defence Council; and

(c) he is given a written notice, with reasons for being required to retire, not less than twelve months before the retirement.”.

Amendment
of s. 20 of the
principal Act

11. Section 20 of the principal Act is amended, by deleting the words “and five years”.

Amendment
of s. 21 of the
principal Act

12. Section 21 of the principal Act is amended, by deleting the words “competent military authority”, and substituting therefor the words “commanding officer”.

Amendment
of s. 22 of the
principal Act

13. Section 22 of the principal Act is amended, by deleting the words “competent military authority”, and substituting therefor the words “commanding officer”.

Amendment
of s. 24 of the
principal Act

14. Section 24 of the principal Act is amended—

(a) in subsection (1), by deleting the word “Every”, and replacing it with the words “An officer or a”;

(b) in subsection (2), by inserting, immediately after the word “Where”, the words “an officer or”; and

(c) in subsection (3), by inserting, immediately after the word “when”, the words “an officer or.”

Amendment
of s. 25 of the
principal Act

15. Section 25 of the principal Act is amended—

(a) in subsection (1), by inserting, immediately after the word “part,”, the words “an officer or”; and

(b) in sub-section (2), by inserting, immediately after the word “part,”, the words “an officer or”.

Amendment
of s. 26 of the
principal Act

16. Section 26 of the principal Act is amended—

(a) in paragraph (b), by—

(i) deleting the word “public”; and

(ii) inserting, immediately after the word “security”, the words “or military discipline”;

(b) in paragraph (k), by—

(i) deleting the words “an unmarried”; and

(ii) inserting, immediately after the word “pregnant,”, the words “outside matrimony, within three years from the date of attestation or commissioning or”; and

(c) by inserting a new paragraph (m), as follows—

“(m) if it is proven that a member committed an act of sodomy or bestiality.”.

- 17.** Section 27 of the principal Act is amended—
- (a) in subsection (1), paragraph (b), by deleting the words “one half of”; and
- (b) by repealing subsection (3) and replacing it with a new subsection (3), as follows—
- “(3) For the purposes of subsection (1) (b), “pay” means the basic rate of pay plus service pay, barrack allowance, and pay of rank, but does not include professional allowance or trade pay.”
- Amendment
of s.27 of
the
principal
Act
- 18.** Section 31 of the principal Act is amended, in subsection (2), by deleting the word “solider”, and substituting therefor the word “soldier”.
- Amendment
of s.31 of the
principal Act
- 19.** Section 32 of the principal Act is amended—
- (a) by deleting the words “a fine of K10,000 and to”; and
- (b) in subsection (2), by inserting a comma, immediately after the word “doubt”.
- Amendment
of s. 32 of the
principal Act
- 20.** Section 33 of the principal Act is amended—
- (a) in subsection (1), paragraph (h), by inserting, immediately after the word “aircraft”, the words “vessel or vehicle”; and
- (b) in subsection (3), by inserting, immediately after the word “aircraft”, the words “vessel or vehicle”.
- Amendment
of s. 33 of the
principal Act
- 21.** Section 34 of the principal Act is amended—
- (a) in subsection (1), by inserting immediately after the first word “enemy”, the words “ or without authority”; and
- (b) in subsection (3), by inserting, immediately after the word “aircraft”, wherever it appears in that subsection, the words “, vessel or vehicle”.
- Amendment
of s. 34 of the
principal Act
- 22.** Section 35 of the principal Act is amended, in subsection (1), paragraph (c), by deleting the figure “29”, and substituting therefor the figure “33”.
- Amendment
of s. 35 of the
principal Act
- 23.** Section 38 of the principal Act is amended, in subsection (2), by inserting, immediately after the word “substance” wherever it appears, the words “not medically prescribed”.
- Amendment
of s 38 of the
principal Act
- 24.** Section 39 of the principal Act is amended—
- (a) paragraph (a), by deleting the words “or wounded in the course of warlike operations”, and substituting therefor with the words “wounded, or captured in the course of war or other similar operations”; and
- Amendment
of s. 39 of the
principal Act

(b) in paragraph (b), by deleting the words “warlike operations”, and substituting therefor with the words “war or other similar operations”.

Replacement of
s.57 of the
principal Act

25. Section 57 of the principal Act is repealed and replaced with the following new section 57—

“Improper
carriage of
persons and
goods

57. Any person subject to military law under this Act who, being in command of any aircraft, vessel or vehicle of the Defence Force or being a member of its crew, without lawful authority—

(a) receives or permits to be received on board the aircraft, vessel or vehicle any person, or goods or merchandise (not being goods or merchandise received in the course of salvage) intended for the disposal or delivery by way of, trade or business, whether on his own account or on the account of any person; and

(b) agrees to carry any persons, or goods or merchandise on board the aircraft, vessel or vehicle in consideration of the payment of freight, or demands or receives any payment in respect of the carriage,

shall be guilty of an offence and shall, on conviction by a court-martial or the High Court, be liable to imprisonment for two years or any less punishment provided by this Act.”

Replacement
of s.60 of the
principal Act

26. Section 60 of the principal Act is amended in the side note and in subsection (1) as follows—

“Dangerous
flying,
navigation or
driving

60.—(1) Any person subject to military law under this Act who either, wilfully or negligently, does any act or makes any omission in flying an aircraft, navigating a vessel or driving a vehicle of the Defence Force or in the use or in relation to such aircraft, vessel or vehicle or any material thereof, which act or omission causes or is likely to cause loss of life of, or to cause injury to, any person shall be guilty of an offence and shall, on conviction by a court-martial or by the High Court, be liable to imprisonment for life or any less punishment provided by this Act.”

Replacement of
s.61 of the
principal Act

27. Section 61 of the principal Act is repealed and replaced with the following new section 61—

Replacement of
s.57 of the
principal Act

61.—(1) Any person subject to military law under this Act who being—

(a) a pilot of an aircraft of the Defence Force, flies the aircraft at a height which is less than the prescribed height; or

(b) a navigator of a vessel of the Defence Force, navigates the vessel at a depth which is less than the prescribed depth,

shall be guilty of an offence and shall, on conviction by the court-martial or the High Court, be liable to imprisonment for two years or any less punishment provided by this Act.

(2) Subsection (1) shall not apply—

(a) in case of an aircraft, where the aircraft is taking off or landing;

(b) in case of a vessel, where the vessel is leaving or entering port; or

(c) in any other circumstances as may be prescribed or authorized.”.

28. Section 62 of the principal Act is repealed and replaced with the following new section 62—

Replacement
of s. 62 of the
principal Act

“Annoyance by
flying or
navigating

62. Any person subject to military law under this Act who being—

(a) a pilot of an aircraft of the Defence Force, flies the aircraft; or

(b) a navigator of a vessel of the Defence Force, navigates the vessel,

so as to cause or likely to cause unnecessary annoyance to any person shall be guilty of an offence and shall, on conviction by the court-martial or the High Court, be liable to imprisonment for two years or any less punishment provided by this Act.”.

29. Section 63 of the principal Act is amended, in subsection (3), by deleting the words “any person (hereinafter referred to as “the prisoner”)” and replacing them with the words “the prisoner”.

Amendment
of s. 63 of the
principal Act

30. Section 69 of the principal Act is amended, in subsection (2), by inserting, immediately after the word “aircraft”, wherever that word appears, the words “or vessel”.

Amendment
of s. 69 of the
principal Act

Amendment of
s. 70 of the
principal Act

31. Section 70 of the principal Act is amended by renumbering the section as subsection (1) and introducing subsection (2) as follows—

“(2) Without prejudice to subsection (1), in the case of change of home address, a commanding officer shall verify the genuineness of the reasons for the change.”

Amendment
of s. 72 of the
principal Act

32. Section 72 of the principal Act is repealed and replaced with the following new section 72—

“Scandalous
conduct of an
officer

72.—(1) Any officer subject to military law under this Act who behaves in a scandalous manner, unbecoming the character of an officer, shall be guilty of an offence and shall, on conviction by the court-martial or the High Court, be cashiered.

(2) For purposes of this section, “scandalous manner” means any manner of behaviour that demonstrates that the accused is unfit to remain an officer and that it is necessary in the interest of discipline and the good name of the service, that the accused should be dismissed from the service.”

Replacement
of s. 77 of the
principal

33. Section 77 of the principal Act is repealed and replaced with the following new section 77—

“Conduct to the
prejudice of
military
discipline

77. Any person, subject to military law under this Act, who—

(a) is guilty of any act, conduct or neglect to the prejudice of good order and military discipline; or

(b) communicates with the media on matters relating to the Defence Force without prior authority from the Commander,

shall be guilty of an offence and shall, on conviction by court-martial or the High Court, be liable to imprisonment for two years or any less punishment provided by this Act.”

Amendment
of s. 88 of the
principal Act

34. Section 88 of the principal Act is amended, in subsection (3)(a), by introducing a new sub-paragraph (i) and renumbering the other paragraphs, in correct alphabetical order, as follows—

“(i) reduction in rank, in accordance with section 28 of this Act and regulations made under this Act;”

Amendment
of s. 89 of the
principal Act

35. Section 89 of the principal Act is amended—

(a) in subsection (1), by deleting the words “proceeded under subsections (2) and (3) of this section” and substituting them with the words “dealt with”; and

(b) in subsection (5), by introducing a new paragraph (a) and renumbering the other paragraphs, in correct alphabetical order, as follows—

“(a) reduction in rank, in accordance with section 28 of this Act and regulations made under this Act;”

36. Section 104 of the principal Act is amended, in subsection (6), by deleting the words “Second Schedule” and replacing them with the words “Fifth Schedule”. Amendment of s.104 of the principal Act

37. Section 130 of the principal Act is amended, in subsection (1), by deleting the words “twenty-one days” and replacing them with the words “seven days”. Amendment of s.130 of the principal Act

38. Section 132 of the principal Act is amended, in subsection (1), by inserting, immediately after the word “High Court”, the words “or a legal practitioner with demonstrable knowledge of military justice”. Amendment of s.132 of the principal Act

39. Section 190 of the principal Act is amended—

(a) in subsection (1), by deleting the words “Defence Council”, and substituting them with the word “Regulations”; and

(b) in subsection (2), by deleting the words “Defence Council”, and substituting them with the word “Commander”. Amendment of s.190 of the principal Act

40. The principal Act is amended, by inserting immediately after section 191, the following new section— Amendment of s.191A of the principal Act

“Pension and other benefits of the Commander. etc **191A.** The Commander and the Deputy Commander shall, upon retirement, receive a pension or other benefits as may, from time to time, be determined by the Defence Council.”

41. Section 193 of the principal Act is amended, in subsection (2), by deleting the word “Third” and replacing it with the word “Sixth”. Amendment of s.193 of the principal Act

42. The principal Act is amended, by inserting immediately after section 194, the following new section— Amendment of s.194 of the principal Act

“Judge Advocate General **194A.**—(1) There shall be a Judge Advocate General who shall be an officer appointed by the Commander-in-Chief, on recommendation by the Defence Council.

(2) The Judge Advocate General shall—

(a) be the principal judicial officer of the Defence Force;

(b) provide legal assistance to the Defence Force in all aspects, in particular advising the presiding officers of courts-martial on military law; and

(c) perform such other duties as the Defence Council or the Commander may assign to him, in writing, in accordance with this Act.”.

Amendment of s.198 of the principal Act

43. Section 198 of the principal Act is amended, by inserting, immediately after the word “assessor”, wherever that word appears, the words “or a juror”.

Insertion of s.210 of the principal Act

44. The principal Act is amended, by inserting, immediately after section 210, a new section 210 A, as follows—

“Unlawful wearing of uniform

210A. A member who wears any article—

(a) forming part of the uniform of the Regular Force; or

(b) of uniform, which he is not authorized to wear, shall be guilty of an offence and shall, upon conviction, be liable to imprisonment for five years”.

Amendment of s.228 of the principal Act

45. Section 228 of the principal Act is amended, in subsection (2), by deleting the figure “55” and replacing it with the figure “62”

Amendment of the Schedules to the principal Act

46. The principal Act is amended by repealing the Schedules and replacing them with the following new Schedules, as follows—

“FIRST SCHEDULE

(s.11B)

OATH OF SECRECY FOR MEMBERS OF THE DEFENCE COUNCIL

I, being a a member of the Defence Council, do hereby solemnly and sincerely swear [affirm] that I will freely without fear or favour, affection or ill-will, discharge the functions of member of the Defence Council, and that I will not, directly or indirectly, ommunicate or reveal to any unauthorized person or persons any matter or business of the Defence Council which shall be brought under my consideration or shall become known to me as a member of the Defence Council except as may be required for the due discharge of my duties as such member/clerk.

.....
Signature of the person making the oath [or affirmation]

Sworn [or affirmed] by the said

At

This day of, 20....

SECOND SCHEDULE

(s.13(3))

OATH OF SECRECY

THE DEFENCE AND SECURITY COMMITTEE

I,, being a member/clerk of the Defence and Security Committee, do hereby solemnly and sincerely swear [affirm] that I will freely without fear or favour, affection or ill-will, discharge the functions of a member of the Defence and Security Committee, and that I will not, directly or indirectly, communicate or reveal to any unauthorized person or persons any matter or business of the Defence and Security Committee which shall be brought under my consideration or shall become known to me as a member/clerk of the Defence and Security Committee except as may be required for the due discharge of my duties as such member/clerk.

.....
Signature of the person making the oath [or affirmation]

Sworn [or affirmed] by the said

At

This day of, 20....

THIRD SCHEDULE

(s.13(3))

OATH OF ALLEGIANCE

I,, do hereby swear by the Almighty God [or do hereby solemnly and sincerely affirm] that—

- (a) I will be faithful and bear true allegiance to the Republic of Malawi;
- (b) I will faithfully serve the people and the Republic of Malawi as a member of the Malawi Defence Force;
- (c) I will obey all laws of Malawi, and all orders, regulations, directions and instructions concerning the Malawi Defence Force; and
- (d) I will discharge all the duties of an officer of the Malawi Defence Force according to law, without fear, favour, affection or ill-will.

.....
Signature of the person making the oath [or affirmation]

Sworn [or affirmed] by the said

At this day of, 20.....

FOURTH SCHEDULE

(s.104)

COMMISSION

By His Excellency

The State President of the Republic of Malawi and the Commander-in-Chief of the Malawi Defence Force.

To:

Greetings!

....., Know you that by these

Presents, I reposing especial Trust and Confidence in your Loyalty, Courage and Good Conduct, do, by these Presents, constitute and appoint you to be an officer in the Malawi Defence Force from the day of, 20.... You are therefore to carefully and diligently discharge your duty as such in the Rank of or in such higher Ranks as I may from time to time hereafter be pleased to promote or to appoint you, and you are to, at all times, exercise fairness in dealing and disciplining officers, men and women, serving under you and use your best endeavours to ensure that their discipline is maintained at high standard at all times. And I do hereby command them to obey you as their superior officer, and you, to observe and follow orders and directions as, from time to time, you shall receive from me or the Defence Council, in accordance with the Defence Force Act, and the Regulations and Rules made thereunder.

Presented on the day of, 20....

.....
President

FIFTH SCHEDULE

(s.193(2))

OFFENCES OF WHICH ACCUSED MAY BE CONVICTED BY
COURTS-MARTIAL

Offence Charged	Alternative Offence
1. Any offence against section 33(1)	1. Any offence against section 33(2)
2. Any offence against section 34 (1)	2. Any offence against section 34 (2)
3. Any offence against section 40 (1)	3. Any offence against section 40 (2)
4. Striking a superior officer (s.42)	4.-(a) Using violence to a superior officer otherwise than by striking him; (b) offering violence to a superior officer

- | | |
|--|---|
| 5. Using violence to a superior officer (s.42) | 5. Offering violence to a superior officer otherwise than striking him |
| 6. Using threatening language to a superior officer (s.42) | 6. Using insubordinate language to a superior officer |
| 7. Disobeying, in a manner as to show a lawful command given or sent to a defiance of authority, member personally (ss.43 or 45) | 7. Disobeying a lawful command willfully |
| 8. Striking a junior officer (s.73) | 8.-(a) Using violence to a junior officer otherwise than by striking him;
(b) offering violence to a junior officer |
| 9. Desertion (s.46) | 9. Absence without official leave |
| 10. Attempt to desert (s.76 as read with s.46) | 10. Absence without leave. |
| 11. Stealing any property (ss.53 or 54) | 11. Conversion of the property |
| 12. Any offence against section 64(1) | 12. Any offence against s. 64(2) |
| 13. Any offence against section 65 (1) involving striking | 13.-(a) The corresponding offence involving the use of violence other than striking
(b) The corresponding offence involving the offering of violence |
| 14. Any offence against section 65 involving the use of violence other than striking | 14. The corresponding offence involving the offering of violence |

SIXTH SCHEDULE

(s.193(2))

OATH OF OFFICE (MILITARY POLICE)

I,....., do hereby swear by the Almighty God [or do hereby solemnly and sincerely affirm] that—

- (a) I will be faithful and bear true allegiance to the Republic of Malawi;
- (b) I will faithfully serve the people and the Republic of Malawi as a member of the Military Police;
- (c) I will obey all laws of Malawi, and all orders, regulations, directions and instructions, concerning the Military Police; and

(d) I will discharge all the duties of an officer of the Military Police according to law, without fear, favour, affection or ill-will.

.....
Signature of the person making the oath [or affirmation]

Sworn [or affirmed] by the said

At this day of, 20..."

Passed in Parliament this fifteenth day of December, two thousand and eighteen.

FIONA KALEMBA
Clerk of Parliament