

POLICE ACT

CHAPTER 14:01

Act

25 of 1940

Amended by

15 of 1944

1 of 1950

24 of 1956

7 of 1958

5 of 1955

14 of 1966

5 of 1970

17 of 1971

34 of 1974

29 of 1976

12 of 1990

Current Authorised Pages

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<i>(inclusive)</i>	<i>by L.R.O.</i>
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COMPARATIVE TABLE

POLICE ACT

CHAPTER 14:01

1961 Rev.Ed. Section No.	1990 Rev.Ed. Section No.	1961 Rev.Ed. Section No.	1990 Rev.Ed. Section No.	1961 Rev.Ed. Section No.	1990 Rev.Ed. Section No.
1	1	29	19	First Schedule	Schedule
2	2	30	-		
3	3	31	20	Second Schedule	
4	4	32	-		
5	-	33	-		
6(1)	5	34	-	Part I	Part I
6(2)	6	35	21	Part II	Part II
7	7	36	22	Part III	Part III
8	8	37	23	Part IV	-
9	9	38	24	Part V	Part IV
10	10	39	25	Part VI	-
11	11	40	26	Part VII	-
12	12	41	27	Part VIII	Part V
13	13	42	28	Part IX	Part VI
14	14	43	29	Part X	Part VII
15(3)	15	44	30	Part XI	Part VIII
16	-	45	31	Part XII	Part IX
17	-	46	32	Part XIII	Part X
18	-	47	33	Part XIV	Part XI
19	-	48	-		
20	-	49	34		
21	-	49A	35		
22	-	50	36		
23	-	51	37		
24	-	52	-		
25	-	53	-		
26	16	54	-		
27	17	55	-		
28	18	-	-		

**Index
of
Subsidiary Legislation**

	Page
Police Regulations	21
Police Welfare Rules	63
*Police Service Commission Regulations	--

*See Chap 1.01 Sub Leg., pp 100-141. (These regulations (deemed to be made under section 84 of the Constitution) are published as Subsidiary Legislation to Chap. 1:01).

**Note
on
Omissions**

The following Subsidiary Legislation have been omitted:

- (a) Police Force Rules and Regulations 1902.
- (b) Police (Hospital Fees) Amendment Rules 1932.
- (c) Police Uniform Regulations 1932.
- (d) Police Rules (No. 2) 1932.
- (e) Police (Salutes) Regulations 1952.
- (f) Colonial Police and Fire Brigades Long Service Medal Regulations.

CHAPTER 14:01**POLICE ACT****ARRANGEMENT OF SECTIONS****SECTION****PART I****PRELIMINARY**

1. Short title.
2. Interpretation.

PART II**FORMATION AND APPOINTMENTS**

3. Constitution of Force.
4. Command.
5. Qualifications for appointment.
6. Penalty for false statement.
7. Terms of enlistment.
8. Oath.
9. Equipment.
10. Medical attendance and funeral expenses.

PART III**POWERS AND DUTIES**

11. Power of police.
12. Duties of the police.
13. Employment of Force as a military force.
14. Who may prosecute before Magistrate.
15. Justices of the peace.

PART IV**RETURNS AND LIABILITIES**

16. Quarterly returns to be furnished by Commissioner of Police.
17. Members of Force not liable for irregularity of warrant.
18. Duty to produce warrant.

SECTION

19. Satisfaction of civil judgments against policemen.
20. Police convicted of offences by Court not liable to further punishment.

PART V
FINANCIAL

21. Payment of extra expenses under this Act.
22. Payment to police while under arrest.

PART VI
RURAL CONSTABLES

23. Rural constables.

PART VII
SPECIAL AND ADDITIONAL CONSTABLES

24. Appointment of special constables.
25. General powers, etc., of special constables.
26. Arms of special constables.
27. Direction of special constables.
28. Offences by special constables.
29. Remuneration of special constables.
30. Additional constables.

PART VIII
OFFENCES AGAINST THE POLICE

31. Offences against the Police Force.

PART IX
REGULATIONS

32. Police Regulations to be made by the Minister.

SECTION

PART X
POLICE WELFARE ASSOCIATION

33. Constitution of Police Welfare Association.

PART XI
MISCELLANEOUS

34. Persons retiring or dismissed from the Police Force to deliver up uniforms, etc.
35. Disciplinary offences.
36. Delivery of stolen goods to owner thereof.
37. Recovery of penalties.
38. Protection of members of the Force.
-

SCHEDULE.

CHAPTER 14:01

POLICE ACT

AN ACT to provide for the establishment of a Police Force in Dominica and for matters connected therewith.

1961 Ed.
Cap. 250.
25 of 1940.

[30th December 1940]

Commencement.

PART I
PRELIMINARY

1. This Act may be cited as the –

Short title.

POLICE ACT.

2. In this Act –

Interpretation.
[5 of 1970
12 of 1990].

“Commissioner” or “Deputy Commissioner” means the Commissioner of Police or the Deputy Commissioner of Police;

“Commission” means the Police Service Commission;

“constable” means a police officer who is not a gazetted officer or subordinate officer;

“gazetted officer” means the Commissioner, Deputy Commissioner, Superintendent or Assistant Superintendent;

“Police Force” or “Force” means the whole body of men appointed by the Commission for the purposes of this Act;

“police officer” means a member of the police service;

“police service” means the section of the public service relating to the police;

“subordinate officer” means an Inspector, Station Sergeant or Corporal;

“subordinate police officer” means a subordinate officer;

PART II
FORMATION AND APPOINTMENTS

Constitution of
Force.
[12 of 1990].

3. (1) There shall be established and maintained in and for Dominica a Police Force styled the Dominica Police Force.

(2) The Force shall consist of such member of police officers, as the Minister may from time to time direct.

(3) Members of the Force shall receive such salaries and allowances as may be provided by Parliament.

Command.

4. The Police Force shall be under the command of the Commissioner of Police who shall be responsible for the good conduct, control and discipline of the Force subject to the general orders of the Minister.

Qualifications for
appointment.
[14 of 1966
12 of 1990].

5. No person shall be appointed in the police service unless –

(a) he has attained the age of eighteen years but has not (unless the Commissioner in any special case otherwise determines) reached the age of thirty years;

(b) he has attained the standards of physical fitness and height and chest measurement as prescribed by Regulations made under the authority of this Act; but in the case of an appointment as a subordinate officer any of these conditions may be dispensed with;

(c) he passes such educational and general knowledge tests as may be required by the Commissioner; and

(d) his personal record and character are satisfactory.

Penalty for false
statement.

6. Any candidate who applies for an appointment in the police service knowingly makes any false statement or produces any birth certificate or testimonial which is false in any material particular shall on summary conviction be liable to a fine of three thousand dollars and to imprisonment for six months.

Terms of
enlistment.
[14 of 1966
12 of 1990].

7. (1) A police officer on first appointment to the police service shall be required to serve on probation for a period of two years; and during this period shall be deemed to be a constable on probation.

(2) If, at any time during the period of probation, the constable is found wanting in character or intelligence, or otherwise unfitted to be a member of the police service his appointment may be terminated.

8. (1) Every police officer serving in Dominica at the date of the coming into operation of this Act shall take the oath in the form set out in the Schedule at such time and place as the Commissioner may direct. Every police officer appointed after that date shall take the like oath before entering upon his duties.

(2) The oath shall in every case be administered by a justice of the peace.

9. (1) Every police officer shall be clothed, armed and equipped in such manner as may be prescribed by Regulations made under the authority of this Act and in the case of subordinate officers and constables at the public expense.

(2) Any article supplied to any police officer at the public expense shall be held by that member at the order or disposal of the Commissioner.

10. (1) All police officers shall be entitled to free medical and surgical treatment subject to such conditions as are prescribed by Regulations made under the authority of this Act.

(2) The funeral of every police officer who dies while serving with the Police Force shall be at the public expense.

PART III

POWERS AND DUTIES

11. Every member of the Police Force shall have throughout the State and in the several bays, creeks and inlets thereof, and also on board of any vessel in which any indictable offence or any offence punishable on summary conviction is or may be suspected to be committed, all such powers, authorities, privileges, protection and advantages, and be liable to all such duties and responsibilities as any constable duly appointed now has or is subject or liable to or may hereafter have or be subject or liable to either by the common law or by virtue of any law which now is or which may hereafter be in force in the State.

Duties of the
police.

12. (1) It shall be the duty of the Police Force to take lawful measures for –

- (a) preserving the public peace;
- (b) preventing and detecting crimes and offences;
- (c) apprehending and causing to be apprehended persons who have committed, or are charged with or suspected of having committed or having abetted the commission of, or being about to commit, any crime or offence;
- (d) regulating processions and assemblies in public places;
- (e) regulating the traffic upon public thoroughfares and removing obstructions therefrom;
- (f) preserving order and decorum in public places and places of public resort, at public meetings, and in assemblies for public amusement; for which purpose each and every member of the Force when on duty shall have free admission to all such meetings and assemblies while open to any of the public;
- (g) assisting in carrying out the revenue, excise, quarantine, emigration and immigration laws;
- (h) assisting in preserving order in the different ports and harbours in the State; and in enforcing the port regulations therein;
- (i) executing summonses, subpoenas, warrants, commitments, and other criminal or quasi-criminal process issued by the several Magistrates, justices of the peace and coroners on complaints or proceedings before them;
- (j) exhibiting informations and conducting prosecutions for crimes and offences;
- (k) the protection of unclaimed and lost property, and finding the owners thereof;
- (l) taking charge of and impounding any animals found straying in any public place;
- (m) assisting the protection of life and property at fires;
- (n) protecting public property from loss or injury;
- (o) attending the High Court, and the Magistrates' Courts and keeping order therein;

- (p) escorting prisoners to and from prisons and places of detention;
- (q) executing such other duties as may by law be imposed on a member of the Force.

(2) It shall be lawful for any police officer of or below the rank of inspector who is authorised by the Commissioner, to take and record for the purposes of identification the measurements, photographs and finger print impressions of all persons who may from time to time be in lawful custody. However, if the measurements, photographs and finger print impressions are taken of a person who has not previously been convicted of any criminal offence, and that person is discharged or acquitted by a Court, all records relating to the measurements, photographs and finger print impressions shall be forthwith destroyed or handed over to that person.

(3) Any person who refuses to submit to the taking and recording of his measurements, photographs or finger print impressions shall be taken before a Magistrate, who, on being satisfied that such person is in lawful custody, shall make such order as he thinks fit authorising any police officer to take the measurements, photographs and finger print impressions of such person.

13. (1) The provisions of subsections (3), (4) and (5) shall have effect only by virtue of a Proclamation made, in the event of war or other emergency, by the President, directing that the said provisions shall come into operation; and when such a Proclamation is made the said provisions shall come into operation on such date as may be specified in the Proclamation, shall continue in operation until a further Proclamation, directing that they shall cease to have effect is made by the President, and shall then cease to have effect except as respects things previously done or omitted to be done.

Employment of
Force as a
military force.

(2) Any such Proclamation may relate to only one or two of the said subsections provided that neither subsection (4) nor subsection (5) shall at any time be in operation unless subsection (3) is in operation.

(3) The Force or any part thereof specified in any Proclamation as aforesaid shall be a military force liable to be employed on military duties in the defence of the State, and members of the Force to whom the Proclamation applies shall hold, in addition to their police ranks under this Act, such military ranks as may be determined by Regulations made by the President.

(4) The President may make Regulations for the administration and discipline of the Force or part thereof serving as a military force, and generally for giving effect to the provisions of this section and for those purposes may by such Regulations modify or amend the provisions of this Act (other than this section). Subject to the provisions of such Regulations members of the Force to whom the Proclamation applies shall continue to be subject to the provisions of this Act except so far as those provisions conflict, or are inconsistent with any provisions of the Army Act for the time being applicable by virtue of the next following subsection.

(5) The provisions of the Army Act, 44 & 45 Vict. c. 58 (United Kingdom) as in force on 2nd November 1978 with respect to discipline shall apply to a military force constituted under this section with the following modifications:

(a) references to “Her Majesty” or “Secretary of State” shall be construed as references to the President.

(b) no sentence of a court-martial upon the trial of a member of the Force shall be carried into execution unless confirmed by the President.

(6) Any person who volunteers for military service with the Force under this section may be enrolled as a member of the Force for that purpose with such military rank as may be determined by Regulations made by the President, and, save as may be otherwise prescribed by Regulations under this section, shall not have any of the rights, powers or duties, or be subject to any of the liabilities, of a member of the Force for any other purpose.

(7) Where provision has been made by Proclamation under this section relating to only one or two subsections, like provision relating to the remaining subsection, or to one or both of the remaining subsections, as the case may be, may be made by further Proclamation; and any Proclamation under this section may, as respects its applicability or inapplicability to any part of the Force, from time to time, be varied by further Proclamation.

(8) Whenever the Force is called out for military service pursuant to a Proclamation issued under the preceding subsections, the provisions of this Act dealing with discharge or withdrawal from the Force shall, *ipso facto*, be suspended during the continuance of such military service except with the express authority of the President.

14. In any prosecution before a Magistrate whether for a summary or for an indictable offence, either the Commissioner or, in his absence, any other gazetted officer or, in the absence of any gazetted officer, any subordinate officer or constable shall be entitled to conduct the prosecution, although the name of some other member of the Force may appear on the summons as prosecutor.

Who may prosecute before Magistrate.

15. The Commissioner and Deputy Commissioner shall be *ex-officio* justices of the peace.

Justices of the peace.
[12 of 1990].

PART IV

RETURNS AND LIABILITIES

16. The Commissioner shall furnish to the Minister at the end of each quarter, a return of all crimes or offences committed by members of the Force and the manner in which those crimes or offences have been disposed of.

Quarterly returns to be furnished by Commissioner of Police.

17. When any action is brought against any police officer for any act done in obedience to the warrant of any Magistrate or justice of the peace, the party against whom the action is brought shall not be responsible for any irregularity in the issuing of the warrant, or for any want of jurisdiction of the Magistrate or justice of the peace issuing the same but may give the warrant in evidence at the trial, and on proving that the signature thereto is the handwriting of the person whose name shall appear subscribed thereto and that such person was reputed to be and acted as a Magistrate or justice of the peace and that the act or acts complained of was or were done in obedience to the warrant, there shall be a verdict in the action for the defendant.

Members of Force not liable for irregularity of warrant.

18. Any police officer, if required to do so in the execution of any warrant directed to him, shall produce the same to the party or parties taken into custody thereunder, and shall permit a copy thereof to be taken by him or them or on his or their behalf, either at the time of the capture or at any time afterwards while the warrant remains in his custody.

Duty to produce warrant.

19. When any judgment is obtained in any Civil Court against any subordinate officer or constable, no execution shall be issued thereon without the consent of a Judge of a Court of superior jurisdiction. Whether the execution is issued or not a certificate, setting forth the full

Satisfaction of civil judgments against policemen.

particulars of the judgment, and the nature of the action in which it was obtained, shall be forwarded to the Commissioner by the Registrar or Magistrate, as the case may be, of the Court in which the judgment was obtained, and the Commissioner may make such order thereon as to the mode and manner in which the judgment shall be satisfied out of the salary of the subordinate officer or constable as the Commissioner thinks fit; and the Commissioner shall, pursuant to the order, cause the amount of the judgment, including costs, to be deducted from the pay of the subordinate officer or constable, and shall pay, or, from time to time, pay the amount or amounts so deducted as aforesaid to the Registrar or Magistrate, as the case may be, to be applied by the Registrar or Magistrate in satisfaction of the judgment according to law; but the provisions of this section shall cease to apply in the case of a judgment against any subordinate officer or constable upon his leaving the police service.

Police convicted of offences by Court not liable to further punishment. [12 of 1990].

20. No police officer, after acquittal by a Court of competent jurisdiction of any crime or offence, shall be punished on the same charge under this Act; and no police officer who has been convicted of any crime or offence by any such Court, shall be liable to punishment for the same offence under this Act, otherwise than by a total loss of pay during imprisonment, by reduction or by dismissal.

PART V FINANCIAL

Payment of extra expenses under this Act. [12 of 1990].

21. The Minister may direct, and the Financial Secretary shall, on the warrant of the Minister, make payment of any extraordinary expenses which appears to have been necessarily incurred in detecting and apprehending offenders and executing the powers and duties given or imposed under this Act, such expenses being first certified by the police officer in charge of the district in which the expenses have been incurred and countersigned by the Commissioner.

Payment to police while under arrest. [12 of 1990].

22. Whenever any police officer is suspended from duty or placed under arrest in respect of any offence for the commission of which he is subsequently dismissed from the police service, such police officer shall only be entitled to receive half-pay for the time during which he has been so suspended or placed under arrest; and pay shall in every case altogether cease as and from the day on which a sentence has been confirmed by the Minister.

PART VI
RURAL CONSTABLES

23. (1) In addition to the regular police the Minister may appoint any persons, with their consent, to be rural constables on or in any town, plantation, village or district. Rural constables.

(2) Every rural constable shall take the oath hereinbefore provided for members of the regular force, but shall take it before the Magistrate of the district wherein he resides, and after taking it he shall have all such powers, authorities, immunities and privileges, except that of pension, and be subject to all such duties, responsibilities and discipline as are conferred or imposed upon a member of the Police Force.

(3) The Magistrate before whom the oath is taken shall forthwith give the person who has taken it a certificate that he has been duly appointed a rural constable and each Magistrate shall keep in his office a record of all persons who have taken the oath before him.

(4) Every rural constable when called upon to perform public duty shall be entitled to be paid such sums as shall from time to time be fixed by the Minister.

(5) The Minister may at any time dismiss any rural constable.

(6) All local constables employed at the date of the coming into operation of this Act shall be deemed to be employed as rural constables under this Act.

(7) From and after the commencement of this Act any references in any Act to local constables shall be construed as references to rural constables.

PART VII
SPECIAL AND ADDITIONAL CONSTABLES

24. The Minister may appoint proper persons to be special constables to act as such for the preservation of the peace. Appointment of special constables. [12 of 1990].

25. (1) Every special constable shall, during his term of office, have all such powers, authorities, immunities and privileges, and be subject to all such duties, responsibilities and discipline as are conferred or imposed upon a member of the police service, and shall, on ap- General powers, etc., of special constables. [34 of 1974 12 of 1990].

pointment, take and subscribe before a justice of the peace the oath here following, that is to say –

“I , do swear that I will well and truly serve Dominica in the office of special constable without favour or affection, malice or ill will, and that I will cause the public peace to be preserved, and will prevent to the utmost of my power offences against the same. So help me God!”

(2) All payments to be made under the authority of subsection (1) shall be a charge on the Consolidated Fund.

Arms of special constables.

26. Every special constable shall be provided by the Commissioner, at the public expense, with such badge, staff, weapons, or other accoutrements as may be necessary, and such badge, staff, weapons, or other accoutrements shall be returned to the Commissioner or such other gazetted officer at such time and place as he may direct. Any special constable wilfully neglecting or refusing to make the return is liable on summary conviction to a fine of one thousand five hundred dollars, and in default of payment to imprisonment for six months. And any Magistrate or any justice of the peace may issue his warrant to search for and seize all such weapons, articles, or accoutrements which are not so delivered over wherever the same may be found, and to arrest the person in whose possession the same may be found.

Direction of special constables.

27. Special constables shall be under the orders of such gazetted officers as may be appointed to command them by the Minister or the Commissioner, and in the absence of any such appointment, shall be under the orders of the Commissioner.

Offences by special constables.

28. Any person appointed to be a special constable, who, without reasonable cause, refuses or neglects to take the prescribed oath when called upon so to do by any justice of the peace or who refuses or neglects to serve when called upon so to do, or to obey any lawful command, is liable on summary conviction to a fine of one thousand dollars, and, in default of payment, to imprisonment, for four months.

Remuneration of special constables.

29. The Minister is hereby authorised to pay from the Treasury such sums as he may deem reasonable for the services and expenses of special constables.

30. (1) The Minister may, if he thinks fit, on the application of any person or persons showing the necessity thereof, authorise the Commissioner to appoint additional constables within the State, and every such additional constable so appointed shall take the oath on admission to the Force and shall perform such duty as may be required of him and shall have all such powers, authorities, immunities and privileges, except that of pension, and be subject to all such duties, responsibilities and discipline as are conferred or imposed upon a member of the police service whilst so employed; but the person or persons on whose application the appointment was made may, upon giving two clear calendar months notice in writing to the Commissioner, require that the appointment of the constable so appointed be discontinued, and the Commissioner shall, at the expiration of the said two months, cancel the appointment and discharge the constable accordingly.

Additional
constables.

(2) Every person (except a police officer acting under the authority of the Commissioner) applying for the appointment of a constable under subsection (1) shall defray the expenses of such constable's salary, travelling, and uniform, and shall pay the same in advance to the Commissioner. The Commissioner receiving such moneys shall account for the same in like manner as other public moneys received and accounted for by him.

PART VIII OFFENCES AGAINST THE POLICE

31. (1) Any person who –

- (a) has in his possession any clothing, arms, ammunition, accoutrements, or other appointments, furnished for the use of the Police Force and does not account satisfactorily for the possession thereof, or puts on or assumes the dress, name, designation or description of any member of the Force; or
- (b) knowingly harbours, entertains, or either directly or indirectly sells or gives any intoxicating liquor to any member of the Force while on duty, or permits him to remain in his house without lawful excuse; or
- (c) refuses to aid or assist any member of the Force when lawfully called upon by such member to do so,

Offences against
the Police Force.
[12 of 1990].

is liable to a fine of five hundred dollars.

(2) Any person who –

- (a) puts on or assumes the dress, name, designation or description of any member of the Force in such manner or under such circumstances as to be likely to bring contempt upon that uniform, or employs any other person so to wear that uniform;
- (b) assaults, or resists or incites any other person to assault or resist, any member of the Force in the execution of his duty,

is liable to imprisonment for six months.

PART IX REGULATIONS

Police Regula-
tions to be made
by the Minister.
[12 of 1990].

32. (1) The Minister may make Regulations, to be named the “Police Regulations,” as he may think expedient relative to –

- (a) the organisation, classification and distribution, of members of the Force;
- (b) the creation of disciplinary offences;
- (c) the leave of absence to be granted to its members;
- (d) the giving of credit to subordinate officers and constables;
- (e) the description of arms, accoutrements and other necessities to be furnished to them,

and all such other Regulations relative to the Police Force, and the duties of members of the Police Force, as the Minister shall from time to time deem expedient for preventing abuse or neglect of duty, and for rendering the Police Force efficient in the discharge of its duties.

(2) No such Regulations shall have the force of law until they have been approved by the President.

(3) The Police Regulations 1976 shall be deemed to be made under this section.

48/1976.

PART X POLICE WELFARE ASSOCIATION

Constitution of
Police Welfare
Association.

33. (1) For the purpose of enabling subordinate officers and constables of the Police Force to consider and bring to the notice of the Commissioner and the Minister all the matters affecting their general

welfare and efficiency, there shall be established in accordance with Rules to be made by the Minister an organisation to be called the Police Welfare Association (hereinafter referred to as "the Association") which shall act through an Executive Committee as provided in the Rules.

(2) The Association shall be entirely independent of and unassociated with any body outside the Police Force.

PART XI MISCELLANEOUS

34. Where a police officer is dismissed from or ceases to belong to the Police Force, all powers and authorities vested in him shall immediately cease and determine, and every such police officer shall forthwith, after he is dismissed from or ceases to belong to the Force, deliver over to the Commissioner all the arms, ammunition, accoutrements, uniform, and other appointments which may have been supplied to him for the execution of his office; and every such police officer making default herein shall, on conviction thereof before any Magistrate, be subject to a fine of five hundred dollars or imprisonment for six months in default of payment; and it shall be lawful for the Magistrate to issue his warrant to any constable to search for and seize to the use of the State all the arms, ammunition, accoutrements, uniform, and other appointments, which are not so delivered over wherever the same may be found.

Persons retiring or dismissed from the Police Force to deliver up uniforms, etc. [12 of 1990].

35. Where a police officer is found guilty of any disciplinary offence, the Commission may impose on that police officer such penalty as may be prescribed.

Disciplinary offences. [12 of 1990].

36. If any goods or money charged to be stolen or fraudulently obtained is in the custody of any police officer by virtue of any warrant of a Magistrate or otherwise in the execution of his duty and the person charged with the stealing or obtaining possession is not found or is duly convicted on the charge or charges, it shall be lawful for the Magistrate to make an order for the delivery of the goods or money to the person who appears to be the rightful owner thereof, or in case the owner thereof cannot be ascertained, then to order the goods within a reasonable time to be sold publicly and the proceeds thereof, together with any moneys so in the custody of any police officer as aforesaid, shall be paid into the Treasury.

Delivery of stolen goods to owner thereof. [12 of 1990].

Recovery of penalties.

37. All fines and penalties imposed by this Act, where not otherwise specifically provided for, shall be recovered in a summary manner before any Magistrate for the district where the offence was committed.

Protection of members of the Force.
[29 of 1976].

38. No action, suit or other proceedings shall be brought or instituted personally against any member of the Force in respect of any act done *bona fide* in pursuance of or in execution or intended execution of any duty or function imposed on the Force under this Act or any other law.

Section 8.

SCHEDULE

OATH

I, A. B. , do swear that I will well and truly serve the Commonwealth of Dominica as a member of the Dominica Police Force without favour or affection, malice or ill-will; and that I will cause the public peace to be preserved, and I will prevent, to the utmost of my power, offences against the same; and that, during any time that I do or may hereafter hold any appointment in the Dominica Police Force I will to the best of my knowledge and skill discharge all the duties thereof faithfully according to law. So help me God!

SUBSIDIARY LEGISLATION

POLICE REGULATIONS

ARRANGEMENTS OF REGULATIONS

REGULATION

PART I

PRELIMINARY

1. Short title.
2. Interpretation.

PART II

ORGANISATION

3. Divisions.
4. Police Station boundary and buildings.
5. Postings.
6. Branches of the Police Service.

PART III

PERSONAL RECORDS

7. Regulation number.
8. Personal records.
Contents of personal records.
9. Personnel record of members leaving Force.

PART IV

OFFENCES AND DISCIPLINE

10. Disciplinary offences created by these Regulations.
11. Open and close arrest.
12. Investigation of charges.
13. Arrest.
14. Pay during suspension, etc.

COMPORTMENT OF RANKS

15. Duties.
16. Absence.

SECTION

17. Responsibility.
18. Loans.
19. Appearance and turn out.
20. Partisanship.
21. Public meetings.
22. Presentation and addresses.
23. Complaint.

PART V

PAY AND ALLOWANCES

24. Rates of Pay.
25. Increments.
26. Deductions from salary.
27. Detective allowance.
28. Plain clothes allowance.
29. Revision of allowances.
30. Fees for special duties.
31. Lodging allowance.

PART VI

UNIFORM: BADGES AND EQUIPMENT

32. Uniform to be worn.
33. Uniforms.
34. Distinguishing badges.
35. Description.
36. Clothing and equipment for officers.
37. Allowance to officer for upkeep of uniform.
38. Equipment for Inspectors.
39. Equipment for subordinate officers and constables.
40. Inspections.
41. Issue of equipment.
42. Issue of arms and ammunition.
43. Control of arms and ammunition issued.
44. Government property.

SECTION

PART VII
LEAVE AND LEAVE PASSAGES

45. Leave.
Leave Passage.
46. Weekly rest day.
47. Liberty leave.
48. Study leave.
49. Overnight leave married subordinate officers and constables.
50. Plain clothes to be worn on leave.
51. Sick leave.
52. Medical treatment.
53. Dental treatment.
54. Ophthalmic treatment.
55. Optical treatment.

POLICE WOMEN

56. Application.
57. General duties.
58. Juvenile offenders.

CUSTODY AND CARE OF PRISONERS

59. Opening of cells.
60. Searching of prisoners.
61. Record to be kept of prisoner's property.
62. Prisoner's property handed over.
63. Prisoners in cells to be visited.
64. Children of prisoners in custody.
65. Feeding of prisoners.
66. Legal adviser of prisoners.
67. Sick prisoner.
68. Numerical strength of escorts.
69. Prison van.
70. Female prisoners.
71. Dangerous prisoners.
72. Handcuffs.
73. Armed escorts.

SECTION

MISCELLANEOUS

74. Saluting.
75. Found property register.
76. Establishment of messes.
77. Administration of messes.
78. Management committee.
79. Sports club.
80. Grant for funeral expenses.
81. Merit badges.
82. Merit badge and allowance.
83. Hardship allowance.
84. House allowance.
85. Temporary lodging allowance.
86. Plain clothes allowance.
87. Proficiency allowance.
88. Temporary separation allowance.
89. Definition of "family".
90. Conditions attached to payment of separation allowance.
91. Allowance for travelling abroad on official business.
92. Police officer may be required to report for duty at any time.
93. Absence without leave.
94. Orders.
95. Standing orders with respect to books and other records.
96. Corrections.
97. Circulation of orders.
98. Legal aid.

FIRST SCHEDULE.

SECOND SCHEDULE.

THIRD SCHEDULE.

FOURTH SCHEDULE.

FIFTH SCHEDULE.

SUBSIDIARY LEGISLATION**POLICE REGULATIONS**48/1976.
[12 of 1990].*deemed to be made under section 32*

[10th February 1977]

Commencement.

PART I**PRELIMINARY****1. These Regulations may be cited as the –**

Short title.

POLICE REGULATIONS.**2. In these Regulations –**

Interpretation.

“Association” means the Police Welfare Association established under section 33 of the Act;**“Force Standing Order” means standing orders for the Force issued in writing by the Commissioner of Police and applicable to the Force as a whole.****“government medical officer” means a registered medical practitioner who holds a post in the Government Service or a registered medical practitioner to whom a subordinate officer or constable has been instructed by the Commissioner of Police to present himself for medical examination.****PART II****ORGANISATION****3. For the purposes of these Regulations, Dominica shall be divided into two Police Divisions to be known as the Southern Division and the Northern Division, or into such Divisions as may be determined by the Minister from time to time. Each Division shall be sub-divided into Police Districts and there shall be one or more Police Stations in each District.**

Divisions.

The present Division shall be –

SOUTHERN DIVISION: Roseau, Point Michel, Soufriere, Grand Bay, Mahaut, Pond Cassé, Castle Bruce, La Plaine, Delices, St. Joseph, Salisbury and Coulibistrie.

NORTHERN DIVISION: Portsmouth, Colihaut, Capuchin, Vieille Case, Calibishie, Marigot, Salybia and Wesley.

Police Station
boundary and
buildings.

4. The boundaries of Police Station areas as determined by the Minister shall be published from time to time by Order published in the *Gazette*. The Minister shall assign for the use of the Force such buildings as he considers necessary; and shall make such further provision for the accommodation, training and hospitalisation of police officers as may be necessary.

Postings.

5. The Commissioner may assign such number of police officers for duty to Divisions, Districts, Branches, Sections, Stations or other administrative or operational units as may be necessary for the efficient functioning of such units.

Branches of the
Police Service.

6. The Police Service shall consist of such Divisions, Districts, Branches, Sections, Stations or other administrative or operational units as may be approved by the Minister.

PART III

PERSONAL RECORDS

Regulation
number.

7. Every subordinate officer and constable on appointment shall be given a regulation number which he shall retain throughout his service in the Force. When a subordinate officer or constable ceases to be a member of the Force, his number may be re-issued to a newly appointed member.

Personal records.

8. (1) The Commissioner shall cause to be kept a personal record of each member of the Force.

Contents of
personal records.

(2) The personal record of members of the Force shall contain–

(a) the regulation number given to the member on his appointment;

- (b) a photograph of the member taken in accordance with the directions of the Commissioner at the public expense;
- (c) a personal description of the member;
- (d) particulars of the member's place of birth;
- (e) particulars of his marriage (if any) and of his children (if any);
- (f) a record of his service (if any) in any branch of the armed forces of the State, or in the Civil Service;
- (g) a record of his service (if any) in any other Police Force or as a special constable;
- (h) a record of whether he has passed or failed any qualifying examination at which he was a candidate;
- (i) courses attended with results;
- (j) a record of his service in the Force including particulars of all promotions, changes of pay, postings, transfers, injuries, periods of illness, periods of leave or absence, commendations, rewards, punishments other than cautions and the date of his ceasing to be a member of the Force, and the cause or manner thereof.

9. (1) Where a member of the Force ceases to hold office in the said Force, he shall be given a certificate signed by or on behalf of the Commissioner stating –

Personnel record
of members
leaving Force.

- (a) the rank last held by him in the Force;
- (b) the period of his service in the Force, and in any other Police Force;
- (c) which, if any, of the circumstances specified in subregulation (2) was the reason for his ceasing to be employed in the Force;
- (d) particulars of his personal description.

(2) The circumstances referred to in subregulation (1)(c) are the following:

- (i) retirement on completion of service;
- (ii) retirement in consequence of injury received on duty;

- (iii) retirement on account of ill health;
- (iv) discharge before completion of period of voluntary retirement on completion of twenty years of service;
- (v) compulsory retirement;
- (vi) resignation;
- (vii) dismissal.

(3) The Commissioner may append to the certificate any favourable recommendation which he feels justified in giving.

(4) Where a member of the Force ceases to be a member otherwise than by transfer with the written consent of the Commissioner to other service in the State, his personal record shall be kept for such time as the Commissioner may think fit and shall be destroyed then.

Offences.

10. (1) A police officer who without reasonable excuse does an act which –

- (a) amounts to failure to perform in a proper manner any duty imposed upon him as a police officer;
- (b) contravenes any of the provisions of these Regulations;
- (c) contravenes any written law relating to the Police Service; or
- (d) is otherwise prejudicial to the efficient conduct of the Police Service or tends to bring discredit on the reputation of the Police Service,

commits an offence against discipline and is liable to such punishment as is prescribed by regulation 101 of the Police Service Commission Regulations or by any other regulation.

Chap. 1:01.
(Sub. Leg.).

(2) Without prejudice to the generality of the provisions of subregulation (1) a police officer commits an offence against discipline if he is guilty of any of the following:

- (a) *Discreditable conduct*, that is to say, if a police officer acts in any disorderly manner or any manner prejudicial to discipline or reasonably likely to bring discredit on the reputation of the Police Service or of the Public Service.

(b) *Insubordinate or oppressive conduct*, that is to say, if a police officer –

- (i) is insubordinate by word, act or demeanour;
- (ii) is guilty of oppressive or tyrannical conduct towards a police officer in a lower office;
- (iii) uses obscene, abusive or insulting language to any other police officer;
- (iv) wilfully or negligently makes any false complaint or statement against any other police officer;
- (v) assaults any other police officer;
- (vi) withholds any report or allegation against any police officer; or
- (vii) refuses to carry out any order of the Force regarding dress or personal appearance.

(c) *Disobedience to order*, that is to say, if a police officer disobeys or without good and sufficient cause omits or neglects to carry out any lawful order, written or otherwise, or contravenes any requirement of these Regulations.

(d) *Neglect of duty*, that is to say, if a police officer –

- (i) neglects, or without good and sufficient cause omits, promptly and diligently to attend to or carry out anything which is his duty as a police officer;
- (ii) idles or gossips while on duty;
- (iii) fails to work his beat in accordance with orders, or leaves his beat, point, or other place of duty to which he has been ordered, without due permission or sufficient cause;
- (iv) by carelessness or neglect permits a prisoner to escape;
- (v) fails, when knowing where any offender is to be found, to report the same, or to make due exertions for making him amenable to justice;

- (vi) fails to report any matter which it is his duty to report;
 - (vii) fails to report anything which he knows concerning a criminal charge, or fails to disclose any evidence which he, or any person within his knowledge, can give for or against any prisoner or defendant to a criminal charge;
 - (viii) omits to make any necessary entry in any official document or book; or
 - (ix) neglects, or without good and sufficient cause omits, to carry out any lawful instructions of a medical officer of the Police Service or, while absent from duty on account of sickness, is guilty of any act or conduct calculated to retard his return to duty.
- (e) *Falsehood or prevarication*, that is to say, if a police officer –
- (i) knowingly makes or signs any false statement in any official document or book;
 - (ii) wilfully or negligently makes any false, misleading or inaccurate statement; or
 - (iii) without good and sufficient cause destroys or mutilates any official document or record, or alters or erases any entry therein.
- (f) *Breach of confidence*, that is to say, if a police officer –
- (i) divulges any matter which it is his duty to keep secret;
 - (ii) gives notice, directly or indirectly, to any person against whom any warrant or summons has been or is about to be issued, except in the lawful execution of the warrant or service of the summons;
 - (iii) without proper authority communicates to the public, press, or to any unauthorised person, any matter connected with the Police Service;
 - (iv) without proper authority shows to any person in the Police Service any book or written or printed document the property of the Police Service;

- (v) makes any anonymous communication to the Commission or to the Commissioner or any police officer in a senior office;
 - (vi) canvasses any police officer with regard to any matter concerning the Police Service;
 - (vii) signs or circulates any petition or statement with regard to any matter concerning the Police Service, except through the proper channel of correspondence to the Commission; or
 - (viii) calls or attends any unauthorised meeting to discuss any matter concerning the Police Service.
- (g) *Corrupt practice*, that is to say, if a police officer –
- (i) receives any bribe;
 - (ii) fails to account for or to make a prompt and true return of any money or property received by him in his official capacity;
 - (iii) directly or indirectly solicits or receives any gratuity, present, subscription or testimonial, without the consent of the Commissioner;
 - (iv) places himself under pecuniary obligation to any person who holds a licence concerning the granting or renewal of which the police may have to report or give evidence; or
 - (v) improperly uses his character and position as a police officer for his private advantage.
- (h) *Unlawful or unnecessary exercise of authority*, that is to say, if a police officer –
- (i) without good and sufficient cause makes any unlawful or unnecessary arrest;
 - (ii) uses any unnecessary violence to any prisoner or other person with whom he may be brought into contact in the execution of his duty; or
 - (iii) is uncivil to any member of the public.
- (i) *Malingering*, that is to say, if a police officer feigns or exaggerates any sickness or injury with a view to evading duty.

- (j) *Absence without leave or being late for duty*, that is to say, if a police officer without reasonable excuse is absent without leave from or is late for parade, Court or any other duty.
- (k) *Uncleanliness*, that is to say, if a police officer, while on duty or while of duty in uniform in a public place is improperly dressed or is dirty or untidy in his person, clothing or accoutrements.
- (l) *Damage to clothing or other articles supplied*, that is to say, if a police officer –
- (i) wilfully or by carelessness causes any waste, loss or damage to any article of clothing or accoutrement, or to any book, document or other property of the Police Service, served out to him or used by him or entrusted to his care; or
 - (ii) fails to report any loss or damage as above however caused.
- (m) *Drunkenness, or drug taking*, that is to say, if a police officer, while on or required for duty, is unfit for duty through the taking of drink or drugs.
- (n) *Drinking on duty or soliciting drink*, that is to say, if a police officer –
- (i) without the consent of his senior officer, drinks, or receives from any other person, any intoxicating liquor while he is on duty; or
 - (ii) demands, or endeavours to persuade any other person to give him, or to purchase or obtain for him, any intoxicating liquor while he is on duty.
- (o) *Entering licensed premises*, that is to say, if without permission or reasonable excuse a police officer enters–
- (i) while on duty any premises licensed under the liquor licensing laws or any other premises where liquors are stored or distributed when his presence there is not required in the execution of his duty; or
 - (ii) any such premises in uniform while off duty.

- (p) *Lending, borrowing or accepting presents*, that is to say, if a police officer lends money to any police officer in a senior office or borrows money or accepts any present from any police officer in a lower office;
- (q) *Conviction for a criminal offence*, that is to say, if a police officer has been found guilty by a court of law of a criminal offence;
- (r) *Being an accessory to a disciplinary offence*, that is to say, if a police officer connives at or is knowingly an accessory to any offence against discipline;
- (s) *Using property or facilities without permission*, that is to say, using any property or facilities of the Police Service without the consent given personally of the Commissioner for some purpose not connected with his official duties.

(3) A police officer who is guilty of any of the offences mentioned in subregulation (2) is liable to such punishment as is prescribed by regulation 101 of the Police Service Commission Regulations.

Ch. 1:01.
(Sub. Leg.)

11. (1) When a subordinate officer or constable is placed under – Open and close arrest.

- (a) open arrest, he shall not quit barracks (except on duty or with special permission) and will be deprived of all privileges and leave until his case has been disposed of. He shall attend all parades and do duty as required;
- (b) close arrest, he shall be confined in the lock-up of the station at which he may be at the time, but close arrest shall not be ordered except with the approval of the Commission or if whilst he is under open arrest he displays continued violence or misconduct or where the Commission thinks confinement is necessary for his safe custody or for the maintenance of discipline. His whistle, baton, if he has them, shall at once be given up by him to the officer by whom he is arrested.

(2) A subordinate officer or constable placed under close arrest shall not be detained for a longer period than twenty-four hours, unless the Commission otherwise directs. The charge or complaint shall without unnecessary delay be investigated and if the charge or complaint is not so investigated after the expiration of twenty-four hours,

the subordinate officer or constable shall be released, and with the approval of the Commission may return to the performance of his duties pending trial, unless in the opinion of the Commission such a course would be injurious to proper discipline in which case he shall be confined to barracks until his case is dealt with.

Investigation of charges.

12. When a charge or complaint is received from which it appears that a police officer may have committed an offence against discipline, the matter shall be referred to the Secretary of the Commission for the decision of the Commission.

Arrest.

13. Any subordinate officer or constable who –

- (a) commits any offence punishable on summary conviction or on indictment may be arrested and dealt with according to law; or
- (b) commits a breach of any regulation or standing orders under the Act, may be placed under open or close arrest on the order of the Commissioner or Deputy Commissioner.

Pay during suspension, etc.

14. Any subordinate officer or constable against whom any complaint, information or charge is laid in respect of any offence to which reference is made in paragraph (a) or paragraph (b) of regulation 13, may, pending and until the final determination of the complaint, information or charge, be dealt with in such manner and shall receive such pay as may be prescribed by the Commission.

COMPORTMENT OF RANKS

Duties.

15. (1) Members of the Force in charge of Divisions, Stations or Sections shall perform such duties as they may be lawfully directed by their senior officers.

(2) They shall be responsible that all orders and regulations issued for the government of the Force, be known to those under their command and that such orders are strictly obeyed.

Absence.

16. Members of the Force in charge of Divisions, Stations or Sections shall not, without the permission of the Commissioner or the Deputy Commissioner, absent themselves therefrom except in cases of urgent necessity when a full report of the circumstances shall be made to the Commissioner as soon as practicable.

17. A member of the Force in charge of a Division shall be responsible for the state of its command. In the absence of a senior officer, his authority and responsibility shall devolve upon the next in rank, unless otherwise specially directed.

Responsibility.

18. No senior member of the Force shall borrow money from any member of the Force who is of a lower rank, nor shall any member of the Force lend money to any officer who is senior to him in rank.

Loans.

19. Members of the Force must always be cleanly and smartly turned out. They must always be alert on duty, smart in their movements and respectful in their bearing and manner.

Appearance and turn out.

20. Members of the Force shall not make public expression of political opinion, but shall bear themselves with impartiality in all such matters.

Partisanship.

21. No member of the Force shall institute or take part with other persons in any procession, demonstration or public meeting. Nothing in these Regulations shall affect a police officer's right to participate actively in a meeting called, or sign any petition prepared by his staff association on matters affecting the service.

Public meetings.

22. Except with the consent of the Commissioner no member of the Force shall tender or receive from any other member of the Force subordinate in rank to him any present, complimentary address or congratulatory expression.

Presentation and addresses.

23. Any member of the Force desiring to make a complaint shall complain to his immediate senior and if he considers himself wronged by the senior officer, he may complain to the Commissioner through such senior officer who shall transmit the complaint. An officer to whom a complaint is made shall bring it to the notice of the Commissioner who may cause inquiries to be made into the complaint and if satisfied with the justice of the complaint, shall take such steps as may be necessary for giving full redress, if within his power, or refer the case to the Commission.

Complaint.

PART V
PAY AND ALLOWANCES

Rates of pay.

24. The rates of pay of gazetted officers, subordinate officers and constables shall be the rates of pay approved by Government from time to time and provided in the annual estimates of the State.

Increments.

25. (1) When a subordinate officer or constable is on an incremental scale of pay, the Commissioner shall, one month before the annual increment becomes due for payment, consider whether he can sign the certificate to the effect that the subordinate officer or constable has served with efficiency, diligence and fidelity during the past year.

(2) If the Commissioner or the Permanent Secretary considers that the officer has during the year performed his duties with efficiency, diligence and fidelity and that his conduct during the period has been satisfactory he shall sign the certificate and grant the increment.

(3) If for any reason the Commissioner is unable to recommend the grant of the increment to the subordinate officer or constable, he shall report the matter to the Commission who may order the increment to be suspended, deferred or stopped for such period as the Commission may recommend and the subordinate officer or constable shall be informed of the decision.

Deductions from salary.

26. (1) On no account shall money be deducted from an officer's salary without prior notice in writing to him of not less than one month.

(2) The Minister of Finance shall determine the type of deductions that may be permitted to be accommodated on the paysheet as an approved deduction.

(3) Notwithstanding the provisions of subregulation (1), the Commissioner may –

(a) deduct from the salary of an officer all fines and penalties imposed as a result of disciplinary action in accordance with the Police Service Commission Regulations;

(b) deduct from the salary of an officer all over-payment of salary in accordance with the Financial Regulations,

and may make such other deductions as are approved by the Minister of Finance towards the reduction of, or repayment of, outstanding debts due to Government.

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chedule.

27. Members of the Force who are appointed to duties as detectives in the detection of crime shall be eligible to receive an allowance of \$240.00 per annum.

Detective
allowance.

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ent for
s.
Schedule.

28. Members of the Force who are appointed to duties as detectives in the detection of crime shall be eligible to wear plain clothes while on detective duty and receive a plain clothes allowance at the rate of \$180.00 per annum.

Plain clothes
allowance.

ance to
for upkeep
orm.

29. The allowances mentioned in regulations 27 and 28 may be revised from time to time as the Minister responsible for the Force may decide.

Revision of
allowances.

ment for
lors.
Schedule.

30. (1) Fees payable per hour or part thereof for special duty performed by subordinate officers and constables shall be collected from firms, business agents and organisers of functions and paid into the Treasury at the following rates:

Fees for special
duties.

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inate
s and
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chedule.

(a) *Rate per hour or part thereof on ordinary days:*

From:	6.00 a.m. - 6.00 p.m.	- \$1.75 per officer
	6.00 p.m. - midnight	- \$2.25 per officer
	midnight - 6.00 a.m.	- \$3.00 per officer

tions.

(b) *Rate per hour or part thereof on public holidays:*

From:	6.00 a.m. - 6.00 p.m.	- \$3.50 per officer
	6.00 p.m. - midnight	- \$4.50 per officer
	midnight - 6.00 a.m.	- \$6.00 per officer

if
ent.

(2) The amount payable to police personnel is calculated at approximately 75% and 90% of the rates payable to regular duty officers and off duty officers respectively, provided that the remaining 25% and 10% respectively, of the above rates shall be paid to the Police Welfare Association Fund.

if arms and
ition.

(3) Fees payable to police personnel per hour or part thereof on voucher duly certified by subordinate officers in charge of Stations and Sections and signed by the Commissioner are as follows:

Control or arms
and ammunition
issued.

43. (1) Ammunition issued to Divisions, Branches and Stations which is not actually in use shall be kept in sealed boxes which shall be opened only in cases of emergency. The date of issue, type of ammunition and quantity of the ammunition shall be endorsed on the boxes.

Dut.

(2) When any ammunition is discharged or lost, an immediate report shall be made to the Commissioner setting out the quantity so discharged or lost and the circumstances relating to the discharge or loss of the ammunition.

.2.2.

(3) The Commissioner shall cause to be kept a detailed account of all ammunition received and issued. No arms or ammunition shall be issued except on the authority of the Commissioner or Deputy Commissioner.

Government
property.

44. All equipment and clothing provided at the public expense shall remain the property of Government and the subordinate officers and constables to whom they are issued shall be responsible for the proper care of them and for handing over the several articles of their equipment on the termination of employment or when ordered to do so by a superior officer. They shall be liable to make good by stoppage from pay any damage to or loss of any equipment or clothing otherwise than by fair wear and tear or through injury sustained in the performance of duty, unless they can show that the loss or damage did not arise from their own default or negligence.

PART VII

LEAVE AND LEAVE PASSAGES

Leave.

45. (1) (a) Subordinate officers and constables shall be eligible for vacation leave at the following rates:

ing

Inspectors, Station Sergeants,
Sergeants, Corporals, Constables

Leave not exceeding thirty calendar days per annum will be granted and may be accumulated for a period not exceeding three years;

nall

(b) Leave shall only be granted when the exigencies of the Police Service permit.

(2) No subordinate officer or constable shall be eligible for any compensation if it should not be possible to grant him the leave for which he is eligible under this regulation or if it should be necessary to recall him from leave before the expiration of the leave granted to him; but such subordinate officer or constable shall be eligible for the unexpired period of his vacation leave.

(3) The Commissioner shall cause a report to be kept to show—

- (a) the police officers to whom he has granted annual leave;
- (b) particulars of the duration of such leave;
- (c) the address or addresses at which the officer may be located during his leave.

(4) Inspectors shall be eligible for the grant of leave passages Leave passage. on the terms and conditions applicable to civil servants of the State receiving salaries in the range \$6,960.00 per annum or more.

46. All subordinate officers and constables shall be eligible for one Weekly rest day. day free from duty in every six days.

47. (1) The senior member of the Force on duty at the time shall Liberty leave. have the power to grant liberty leave of not more than six hours duration after duty to any well-conducted subordinate officer or constable who is not required as a reserve in barracks.

(2) A subordinate officer or constable who is granted liberty leave shall, before leaving his station, inform the officer on duty of his whereabouts and where he can be found if required.

48. Police officers granted scholarships or study leave to pursue Study leave. courses of study sponsored by Government shall be eligible for study leave and for such allowances and benefits as may from time to time be provided for public officers, under the Scholarship and Study Leave Rules.

49. Married subordinate officers and constables may be granted Overnight leave married subordinate officers and constables. short leave daily after duty if they are not required for duty or as reserves in barracks. Such leave may be granted by the senior member of the Force on duty at the Station who shall satisfy himself that the required reserve is at all times available in barracks.

Plain clothes to
be worn on
leave.

50. Unless they have special permission to wear uniform, all subordinate officers and constables on leave shall wear plain clothes.

Sick leave.

51. (1) Sick leave on full pay may be granted to any subordinate officer or constable for a period not exceeding three months in the aggregate during any period of twelve months on the production of a medical certificate to the satisfaction of the Commissioner of Police.

(2) The Commissioner on the advice of the Commission may at any time call upon a subordinate officer or constable to submit himself to examination by such medical board as the Commission may designate for the purpose.

(3) On the recommendation of a medical board, a subordinate officer or constable in whose case the medical board certifies that there is reasonable prospect of eventual recovery may be granted further sick leave with full pay up to a maximum period including any period of sick leave granted under subregulations (1) and (2) of six months.

(4) If illness or incapacity is due to an injury received or an illness suffered by such subordinate officer or constable in the actual discharge of his duty and without his own default and is on account of circumstances specifically attributable to the nature of his duties, he shall be entitled to be granted further sick leave with full pay, beyond the period mentioned in subregulation (3), for a period not exceeding six months until a medical board certifies him as fit to return to duty or recommends his discharge from the Force on medical grounds.

(5) In every case such subordinate officer or constable shall be entitled to be granted further sick leave with half pay beyond the period mentioned in subregulation (3), for a period not exceeding six months, until the medical board certifies him as fit to return to duty or recommends his discharge from the Force on medical grounds. If, however, any police officer is incapacitated by his own misconduct, the Minister may order that he shall forfeit the whole or part of his pay for the period during which he is so incapacitated.

Medical
treatment.
[12 of 1990].

52. All police officers shall be entitled to free hospital treatment and free medical and surgical attention by a Government medical officer.

Dental treatment.

53. All police officers shall be provided with free extractions and ordinary fillings by a Government dental officer. In the case of other dental treatment fifty per cent of the costs shall be borne by Government.

54. District medical officers shall recommend all police officers suffering from eye disease to be sent to an eye specialist for treatment; the cost of such treatment shall be borne by Government.

Ophthalmic treatment.

55. All police officers with and over ten years service shall on the prescription of an eye specialist be supplied with spectacles at the cost of Government, but in the event of their requesting frames of a more expensive type than those normally supplied, they shall be required to pay the difference in cost. The treatment above specified shall be confined to such treatment as is available in the State. Where the Chief Medical Officer advises that surgical or medical treatment should be obtained out of the State, the approval of the Minister shall first be obtained, and if so obtained the cost shall be borne by Government.

Optical treatment.

POLICE WOMEN

56. The Rules and Regulations of the Police Force shall apply to all women members of the Force.

Application.

57. Police women may be employed on any form of police duties in which they may be useful. They should specialise, however, in work for which, they, as women, are best suited. These duties include –

General duties.

- (a) uniform patrolling;
- (b) duties in connection with women and children reported missing or found wandering, destitute or homeless;
- (c) duties in connection with girls and children who have been victims of sexual offences or are in moral danger;
- (d) taking statements from women and children;
- (e) executing warrants on women and girls;
- (f) escort and court duties in connection with women and girls;
- (g) searching and finger-printing women and children;
- (h) observation upon women prisoners detained in hospitals;
- (i) plain clothes duties and detective work.

Juvenile
offenders.

58. (1) Police women shall be specially interested in all matters relating to juvenile offenders, and shall familiarise themselves with all the statutory provisions relating to the prosecution, punishment, care and protection of children and young persons.

(2) In this part of their work, police women shall co-operate closely with probation officers, education authorities and social welfare workers.

CUSTODY AND CARE OF PRISONERS

Opening of cells.

59. Cells in which prisoners are confined shall be opened by not less than two police officers.

Searching of
prisoners.

60. Prisoners shall be searched on arrest and also before being placed in the cells and again on being taken from the cells. At the station male prisoners shall be searched by two male police officers and female prisoners by a female police officer.

Record to be kept
of prisoner's
property.

61. (1) All property found on a prisoner on search shall be taken from him and a record made in the charge book. This entry shall be read over to the prisoner who shall be asked to verify if correct and to sign same. If the prisoner claims that the entry is incorrect, a note to this effect shall be made against the entry and the matter reported for investigation.

(2) Property required as a court exhibit shall be retained and handed over to the general property keeper.

(3) A prisoner's property shall be returned to the prisoner on his release from custody and he shall be required to sign for receipt of same in the charge book.

(4) A prisoner's property in the possession of the police for more than twenty-four hours shall be handed over to the general property keeper and transferred to the general property book.

(5) In the event of a prisoner being handed over to a gaoler, the property shall also be handed over to the gaoler, who shall be required to give a receipt for same.

Prisoner's
property handed
over.

62. Subject to the provisions of regulation 61(2), the property taken from a prisoner may be handed over to any person as directed by the prisoner on such a person giving a receipt for the property handed over and the prisoner certifying that this has been done.

63. Unless as otherwise directed prisoners in police cells shall be visited at least once every hour by the police officer in charge of the charge room.

Prisoners in cells to be visited.

64. Prisoners' children who have no relatives or other persons to take charge of them may be taken charge of by the Chief Probation Officer until other arrangements for their care can be made.

Children of prisoners in custody.

65. (1) The daily ration for prisoners in police custody shall be as fixed by the Minister.

Feeding of Prisoners.

(2) Prisoners shall be fed three times daily at 7:30 a.m., 12:30 p.m. and 5:30 p.m. or as near as possible to these hours.

(3) Prisoners may be supplied with food from outside, but all such food shall be examined by the police officer in charge of the charge room.

66. The legal adviser of a prisoner shall be allowed to communicate with the prisoner at a police station but the prisoner must be kept in sight by a police officer during such communication.

Legal adviser of prisoners.

67. When a prisoner reports sick, the police officer in charge of the charge room shall immediately notify the appropriate District Medical Officer. Where the District Medical Officer orders the sick prisoner's removal to the hospital, application shall be made to a Magistrate for a remand warrant, but if the District Medical Officer orders the removal to any other hospital, he shall be despatched to such hospital in custody.

Sick prisoner.

68. The strength of escorts to be provided for the removal of prisoners except such as may be conveyed in a prison van, shall be regulated as follows:

Numerical strength of escorts.

- (a) when one prisoner is to be escorted, he shall be sent in the custody of at least one constable;
- (b) two to five prisoners shall be accompanied by at least two constables;
- (c) six to ten prisoners shall be accompanied by at least three constables.

69. In the case of prisoners being conveyed in a prison van, there shall be at least two escorts in addition to the driver.

Prison van.

Female prisoners. 70. In the case of female prisoners a female police officer shall be counted as a constable for the purpose of regulation 68.

Dangerous prisoners. 71. In the case of prisoners considered to be dangerous and unruly additional constables shall be sent as may be necessary.

Handcuffs. 72. Every escort shall be provided with handcuffs which shall be used when necessary.

Armed escorts. 73. Escorts conveying prisoners may be armed if circumstances so warrant.

MISCELLANEOUS

Saluting. 74. (1) Subordinate officers and constables shall salute gazetted officers; and gazetted officers shall salute their seniors.

(2) All police officers shall pay compliments to such designated persons, on such occasions and in such manner as the Commissioner may from time to time direct.

Found property register. 75. A record shall be kept in a register of all found property, in such manner as the Commissioner may direct.

Establishment of messes. 76. (1) A mess may be established at any police station or police training college for the use and convenience of the personnel of such station or training college, as the case may be.

(2) All cooking utensils, wares, stoves and other messing facilities shall be supplied by public funds.

Administration of messes. 77. The responsibility for the efficient administration of all messes shall rest with the Commissioner who shall issue instructions for their operation.

Management committee. 78. (1) The mess shall be managed by a management committee which shall consist of the Deputy Commissioner as Chairman, the mess secretary as the Secretary and three other members to be elected annually at the general mess meeting.

(2) The management committee shall appoint a member to the committee to act in the place of any committee member who may be absent on duty or leave.

(3) The Commission shall appoint a member of the mess to be mess secretary who shall keep all accounts, books and records relating to the management and operation of the mess, and shall perform such other duties as the management committee may direct.

(4) No entries shall be made in the mess fund book other than those concerned with the furnishing and general up-keep of the mess and the payment of attendants.

(5) Any annual contribution voted by the Parliament shall be paid into the mess fund.

(6) Rules for the general management of the mess shall be made at the annual general mess meeting or at any other general mess meeting called for the purpose. The rules shall be subject to the approval of the Commissioner and shall be binding on all member of the mess.

79. (1) There shall be a police sports club of which every police officer shall be a member and of which the Commissioner shall be President. *Sports club.*

(2) The sports club shall be managed by a committee to be elected annually by the members and approved by the Commissioner.

(3) Members shall pay a subscription to be fixed by the Commissioner after consultation with the management committee.

(4) Rules for the general management of the sports club shall be made at a general meeting. These shall be subject to the approval of the Commissioner and shall be binding on all members.

80. A grant shall be made at such rates as may be approved from time to time by the Minister of Finance to assist in defraying the funeral expenses of a police officer who dies while in service. *Grant for funeral expenses.*

81. The Commissioner may award merit badges in keeping with the provisions of regulation 82. *Merit badges.*

82. (1) A merit badge and a merit allowance may be awarded by the Commissioner to any constable whom the Commissioner is satisfied deserves such merit badge and allowance. *Merit badge and allowance.*

(2) The merit allowance shall be at the rate of ten dollars per month.

(3) A Committee appointed by the Commission shall advise the Commissioner on the award of such merit badges and allowances.

(4) The Dominica Police Welfare Association shall have the right to submit recommendations for awards to the Commissioner who shall transmit them to the Committee for consideration.

(5) A merit allowance shall not be payable to a constable with less than three years' service.

(6) Payment of the merit allowance to a constable shall cease with effect from the date of his promotion.

(7) A merit badge and allowance may be forfeited and restored by the Commissioner on the advice of the Committee.

(8) If on the date of his retirement any constable has been in uninterrupted enjoyment of a good conduct allowance or a merit allowance for three years, the allowance shall be regarded as part of his salary for the purpose of computing his pension and gratuity. The period of time during which the constable enjoyed the good conduct allowance shall be joined to the period of time during which he enjoyed the merit allowance to make up the full three-year period if there has been no break in the continuity of the good conduct allowance or merit allowance over the full three year period.

Hardship
allowance.

83. (1) A police officer who is transferred and thereby suffers hardship shall, on application by him, be granted a hardship allowance on the same basis as applicable to a separated police officer but for such period of time as the Chief Establishment Officer may in his discretion, direct, although he is not separated from his family by reason of such transfer.

(2) Applications for hardship allowances shall be submitted monthly on the prescribed form to the Chief Establishment Officer through the Commissioner. Except in special circumstances no claim shall be entertained that is made later than three months after the period to which the claim relates.

House allow-
ance.

84. (1) A police officer who is not provided with appropriate quarters may be paid a house allowance at such rates as may be approved by the Minister of Finance.

(2) A police officer who marries shall report in writing to the Commissioner the fact of his marriage within three months of his marriage, and the report shall be supported by a marriage certificate.

(3) No officer shall be permitted to receive house allowance appropriate to a married officer and the allowance payable to an unmarried officer for the same period of time.

(4) Where a police officer is married to another police officer only one house allowance shall be paid and that to the officer in receipt of the higher allowance or, if both officers are in receipt of an equal amount of house allowance, to the husband.

(5) Where a police officer is married to a public officer who is in receipt of a house allowance, no house allowance shall be paid to the police officer unless his house allowance is greater than that of his spouse and then the police officer shall be paid only so much, if any, of his house allowance as exceeds the house allowance that the public officer receives.

(6) A police officer claiming or receiving a house allowance shall be responsible for ensuring that the provisions of subregulations (3), (4) and (5) are complied with.

(7) Except in special circumstances no claim for a house allowance appropriate to a married officer shall be met if submitted more than three months after the month to which the claim relates.

(8) A police officer in receipt of a house allowance or who but for the provisions of subregulation (5) would have been in receipt of such an allowance, who becomes widowed, or is divorced or legally separated, shall report the fact to the Commissioner within one month of the occurrence of the event. Such a police officer shall be paid the house allowance applicable to a married police officer up to the end of the month in which the officer became widowed, divorced or legally separated, and thereafter the officer shall be paid the house allowance applicable to an unmarried police officer, unless there are children of the marriage or legally adopted children who are dependent on the officer in which case the officer may be allowed to continue to receive the house allowance applicable to a married police officer.

(9) A police officer occupying rent-free quarters shall not be entitled to any house allowance.

85. A temporary lodging allowance at such rate as may be approved by the Minister of Finance shall be paid to a woman police officer when she is transferred to a Division or District where quarters are not available for her.

Temporary
lodging
allowance.

Plain clothes allowance.

86. A police officer required to do duty in plain clothes shall be paid a plain clothes allowance at such rates as may be approved by the Minister of Finance for such part of a month in which he is so required to wear plain clothes, but so however that no allowance shall be paid for any month in which an officer is required to wear plain clothes for a period of less than seven days.

Proficiency allowance.

87. A proficiency allowance at rates approved by the Minister of Finance may be granted to police officers performing specified duties. Such allowances shall only be paid to police officers actually performing such duties, except that police officers who are drawing proficiency allowances and who go on sick leave or vacation leave may continue to do so but only if the period for which they are on vacation leave or sick leave does not exceed fourteen days.

Temporary separation allowance.

88. (1) A police officer shall be considered to be "separated" from his family if as a result of an appointment or transfer he is compelled to take up residence in another Division, District, Branch or Section without being able to take his family with him, because –

- (a) suitable accommodation cannot be found immediately in the new Division, District, Branch or Section for his family;
- (b) it would not be reasonable to expect the police officer to remove his family from his present residence; or
- (c) he could not reasonably be expected to travel daily from his present residence to the new Division, District, Branch or Section.

(2) A separated police officer may on application be paid a temporary separation allowance related to the additional expenditure incurred by him in maintaining two establishments.

Definition of "family".

89. For the purpose of regulation 88, "family" shall be taken to mean a police officer's spouse and children, his mother, father, brothers, sisters, who are living with and are solely dependent on him.

Conditions attached to payment of separation allowance.

90. The payment of a temporary separation allowance shall be subject to the following conditions:

- (a) it shall not exceed the maximum amount fixed by the Minister of Finance;

- (b) (i) in the case of an appointment, or transfer which is known to be permanent, it shall normally be paid for a period not exceeding three months;
- (ii) in the case of an appointment or transfer which is known to be or turns out to have been temporary, it shall normally be paid for a period not exceeding six months;
- (c) extensions of the normal period of payment as provided for in paragraph (b) shall be made only on the authority of the Chief Establishment Officer, to whom application shall be made promptly with full supporting reasons for the grant of an extension of time;
- (d) no allowance shall be paid where the period of separation is less than one month;
- (e) the officer claiming the allowance shall be required to produce a certified statement, supported by payment receipts, where possible, showing the additional expenditure involved in having to maintain two establishments. The allowance granted shall be a sum equivalent to the additional expenditure incurred, but not exceeding the maximum amount fixed by the Minister of Finance;
- (f) an officer claiming the allowance must certify that he is in fact separated;
- (g) an officer shall not receive both a temporary separation allowance and subsistence allowance in respect of the same period.

91. (1) A police officer who is required to travel abroad on official business shall be entitled to –

Allowance for travelling abroad on official business.

- (a) such transport as may be approved by the Minister of Finance;
- (b) similar treatment as regards hotel accommodation, meals and subsistence allowances as is provided for public officers;
- (c) transport within the country or countries (including reasonable taxi hire);

(d) the cost of official telephone and telegram charges, and such other expenses which may be incurred in connection with the transaction of official business.

(2) The Chief Establishment Officer shall issue instructions which will determine by what type or class of transportation a police officer shall travel.

(3) A police officer who is required to travel to a cold or temperate climate country on official business shall be paid such warm clothing allowance as the Minister of Finance may determine. A police officer who has received such an allowance shall not be eligible for a further allowance within a period of two years from the date of receipt of the first allowance.

(4) A police officer who is required to travel outside Dominica on official business, shall, unless otherwise permitted, travel by the national airline.

(5) A police officer who is required to proceed outside Dominica on official business shall be paid a subsistence allowance for the period beginning with the day he leaves Dominica and ending with the day he returns, inclusive, in accordance with rates approved by the Minister of Finance.

(6) In determining the currency in which the subsistence allowance shall be paid, the Minister of Finance shall draw up a schedule of hard and soft currency areas and the police officer shall receive payment as follows:

In hard currency areas	U.S. currency
In soft currency areas	East Caribbean currency or Sterling.

(7) Claims in respect of expenses incurred when travelling on official business shall be submitted on the appropriate form as the Permanent Secretary in the Ministry of Finance may require.

Police officer may be required to report for duty at any time.

92. Notwithstanding anything contained in these Regulations relating to hours of work a police officer may be required to report for duty at any time if the exigencies of the Police Service so require.

Absence without leave.
[12 of 1990].

93. (1) A police officer shall not be absent from duty without leave or reasonable excuse.

(2) A police officer shall not leave the country without the permission in writing of the Commissioner or in cases of emergency of a superior officer who shall report forthwith, in writing, to the Commissioner.

(3) A police officer who contravenes this regulation commits an offence and is liable to summary dismissal.

94. (1) Orders may be issued to police officers as follows: Orders.

- (a) standing orders, by the Commissioner;
- (b) departmental orders, by the Deputy Commissioner on the Commissioner's behalf;
- (c) divisional or branch orders, by officers in charge of such Divisions or Branches.

(2) The Commissioner may appoint a committee to advise him on the issue of standing orders from time to time, and the Police Welfare Association may be invited to nominate representatives to serve on such committee.

95. The Commissioner shall also issue standing orders to the Police Service setting out the books and other records to be kept at Divisions, Branches, Stations or other operational units of the Police Service, and the manner in which such books are to be kept, and how they should be disposed of. Standing orders with respect to books and other records.

96. No erasures shall be made in any official book or document but mistakes shall be crossed out and initialled, except in the case of corrections in a station diary which shall be made by the recording of a new entry correcting the original entry. Corrections.

97. (1) All orders, regulations and other official publications affecting police officers shall be brought to their attention by the Commissioner. Circulation of orders.

(2) The *Gazette* shall be circulated for the information of all police officers by the Commissioner.

98. Where a police officer is charged before a Court with an offence arising out of or in the course of the execution of his duty, and the Attorney General is satisfied that the officer acted in good faith in the execution of his duty, the officer shall be granted legal aid in the conduct of his defence. Legal aid.

Regulation 35.

FIRST SCHEDULE

UNIFORM AND OCCASION ON WHICH
IT IS TO BE WORN

GAZETTED OFFICERS

UNIFORM

OCCASION

No.1 - Full Dress

White tunic
 Blue overall with buff stripe
 Wellington boots
 Spurs
 Shoulder belt and pouch
 Sword belts and slings
 Sword with steel scabbard

Guard of Honour
 Ceremonial parades
 Church parades or other occasion when specially ordered

Silver sword knot
 White helmet with spike, badge and chain ; or blue forage cap by order
 Full size medals
 Blue and white hackle
 White string gloves

No.2 - Service Dress

Khaki or garbadine tunic
 Blue lanyard
 Khaki or garbadine trousers
 White shirt and collar
 Navy blue tie
 Black sam brown equipment
 Blue socks
 Black sam brown or cloth belt
 (as ordered)
 Blue forage caps
 Black shoes
 Medal ribbons

Other duties when so ordered

No. 3 - Working Dress

Khaki or garbadine bush tunic
 Khaki or garbadine shorts
 Blue lanyard
 Blue cap
 Black sam brown or cloth
 (belt as ordered)
 Black shoes
 Khaki stockings (Blue tops)
 Medal ribbons

Ordinary duties

No. 4 - Blue Dress

Blue dress
 Blue trousers

At night, in lieu of No. 2
 Service Dress

Black shoes
 White shirt and collar
 Blue cap
 Navy blue tie
 Black sam brown (or cloth)
 Black socks
 Medal ribbons

No. 5 - Mess Dress: Optional

White mess jacket
 Blue overall with buff stripe
 Blue cummerbund
 Black shoes (plain polished)

Official evening functions
e.g. at Government
 House, dances and enter-
 tainments (as ordered),
 Naval and Military Guest Nights.

INSPECTORS

No. 1 - Full Dress -

As for gazetted officers, but minus spurs
 and overalls with black mohair braid

No. 2 - Service Dress
No. 3 - Working Dress
No. 4 - Blue Dress
No. 5 - Mess Dress

As for gazetted officers except overalls

SUBORDINATE OFFICERS AND CONSTABLES

UNIFORM		OCCASION
<i>No. 1 - Full Dress</i>		
<i>Men</i>	<i>Women</i>	
White tunic	White tunic	
Blue trousers	Blue shirt	
Black boots	Black shoes	Guard of Honour
Waist belt white or black as ordered	Blue stockings	Ceremonial parades
Side arms	Waist Belt	or other occasion when specially ordered
Helmet spike and chain	Blue cap	Ceremonial parades or other occasions
Medals	Medals	when ordered specially
White string gloves	White gloves	
<i>No. 2 - Working Dress</i>		
<i>Item to be worn as ordered</i>		
<i>Men</i>	<i>Women</i>	<i>Occasion</i>
White tunic	White blouse	
Blue trousers	Blue skirt	
White helmet	Blue socks	Ordinary duties
White cap cover (as ordered)	Black shoes	
Black boots	Blue cap	
Blue cap	Waist belt	
Waist belt	Medal ribbons	
Baton		
Medal ribbons		
Grey shirt with short sleeves	Grey shirt with short sleeves	To be worn when so ordered
Blue trousers	Blue forage cap	
Blue forage cap		
Blue breeches		
Black leggings		

No. 3 - Drill Order

<i>Men</i>	<i>Women</i>	<i>Occasion</i>
Grey shirt	Grey shirt	
Blue trousers	Blue skirt	
Black boots	Blue socks	Drill parades
White helmet or cap (as ordered)	Black shoes	
	Blue cap	
	(White cover)	
Blue tunic	Blue tunic	
Blue trousers	Black skirt	
Black boots	Black shoes	On duty at nights or in wet weather (as ordered)
White helmet or cap (as ordered)	Blue cap	
Waist belt	Waist belt	
Baton		
Shoes - rubber soled canvas	Shoes - rubber soled canvas	
(Optional - when ordered)	(when ordered)	

No. 5 - Mounted Dress

Men riding motor cycles and horses and driving vehicles on duty are permitted, if they so desire, to wear blue breaches and grey shirts with white helmet or blue cap.

SECOND SCHEDULE

Regulation 34.

(1) BADGES OF RANK*Gazetted Officers**Badges*

Commissioner of Police

Shoulder of jacket and great coat crossed
tipstaves surrounded by wreath and crown
above jacket lapels and tunic collar.
Undress or full dress gorget patches in

black velvet one and a half inches wide and three inches long - pointed at top - ornament of Silver Russia braid - small silver button, (C.P.F.) three quarters of an inch from point of patch. (Working dress; Gorget patches in miniature (except with blue undress). Cap; one row of silver embroidered oak leaves on peak.

Deputy Commissioner of Police

Shoulder of jacket and greatcoat cross tipstaves surrounded by wreath and two stars above.

Superintendent of Police

Shoulder of jacket and greatcoat crown.

Assistant Superintendent of Police

Shoulder of jacket and greatcoat two (2) stars.

SUBORDINATE OFFICERS

For Inspectors

Two bars

For Station Sergeants

Crown over three silver chevrons

For Sergeants

Three silver chevrons

For Corporals

Two silver chevrons

Badges to be worn on both sleeves above elbows

(2) MUSKETRY BADGES

(a) Crossed rifles, silver on blue cloth.

(b) The same with crown above, when awarded to be worn on the left forearm between the cuff and the elbow above the good conduct badges, if any.

(3) FIRST AID BADGES

As issued by the St. John Ambulance Brigade.
To be worn on left sleeve of both shirt and tunic.

THIRD SCHEDULE

Regulation 36.

EQUIPMENT AND CLOTHING
FOR GAZETTED OFFICERS

- 1 Service revolver
- 1 Black holster
- 1 Sword (Infantry pattern)
- 1 Steel scabbard for sword
- 1 Black leather scabbard for sword
- 1 Cross belt
- 1 Sword sling
- 1 Sword knot, silver
- 1 Black knot, silver
- 1 Black sam brown equipment
- 1 Water bottle and sling
- 1 Blue lanyard and whistle
- (New equipment will not be issued when returned serviceable articles are available).
- Buttons badges of rank and jacket lapels as required
- 1 Blue serge tunic
- 1 Pair blue serge trousers
- 1 Pair blue serge overalls
- 3 White drill tunics
- 2 Shirts drill mess jackets
- 1 Blue cummerbund
- 1 Waterproof coat
- 1 Khaki drill or garbadine jacket
- 1 Pair khaki drill or garbadine trousers
- 4 Khaki or bush tunics and cloth belt
- 4 Pairs khaki drill or garbadine shorts
- 1 White helmet, wolsey, spils and chain
- 1 Blue cloth cap
- 1 Pair black wellington boots (parade) with spurs bexes
- 1 Pair spurs for parade wellington.

FOURTH SCHEDULE

UNIFORM AND EQUIPMENT TO BE SUPPLIED ON
LOAN AT PUBLIC EXPENSE TO INSPECTORS

Articles	Issue	Remarks of periods of issue and wear
(1) ARMS		
Service revolver	1	During Service
Holster	1	During Service
Sword (infantry pattern)	1	During Service
Scabbard (steel)	1	During Service
Scabbard (black leather)	1	During Service
(2) EQUIPMENT		
Cross belt	1	Every ten years
Sword belt with sling	1	Every ten years
Sword knot (silver)	1	Every ten years
Black sam brown equipment	1	Every ten years
Haversack	1	As required
Water bottle and sling	1	As required
Whistle and chain	1	Every ten years
(3) HEAD DRESS		
Helmet (white officer's pattern)	1	As required
Cap (blue officer's pattern)	1	As required
(4) CLOTHING		
Jacket (blue serge, fine)	1	As required
Blue lanyard	1	As required
Trousers (blue serge, fine)	2	As required
Jackets (white drill)	3	As required
Mess Jackets (white drill)	1	As required
Cap (blue)	1	Every five years
Jackets (khaki drill)	-	As required
Trousers	-	As required

Articles	Issue	Remarks of periods of issue and wear
Khaki shorts	-	As required
Bush tunics	-	As required
Khaki stockings with blue tops	-	As required
(5) SHOES		
Black balmoral	1	Pair annually

FIFTH SCHEDULE

Regulation 39.

**UNIFORM AND EQUIPMENT OF SUBORDINATE
OFFICERS AND CONSTABLES**

Articles	Issue	Remarks of period of issue and wear
(a) EQUIPMENT		
Waist belt	1	As required
Frog	1	As required
Whistle and chain	1	As required
Haversack	1	As required
Kit bag	1	As required
Water bottle and sling	1	As required
(b) HEAD DRESS		
Helmet (white)	1	As required (average serviceable wear five years)
Cap (blue)	1	Every two years
Cap covers (white)	2	As required
Cap covers (waterproof)	2	As required (average period of wear four years)

Articles	Issue	Remarks of periods of issue and wear
(c) CLOTHING		
Jacket (white)	4	As required
Jackets (blue serge)	1	As required
Trousers (blue serge)	3	As required
Skirts (white poplin)	3	As required
Caps (blue cloth)	1	As required (average period of wear eight years)
Boots (black)	-	As required (not more than two pairs annually)
Shoes (black)	-	As required (not more than two pairs annually)
Rank chevron	-	As required (average period of wear three years)
Shirts (grey) light weight	4	As required
Stockings (blue)	3	Pairs annually
Socks (blue) (women)	4	Pairs annually
Socks (grey)(men)	4	Pairs as required

SUBSIDIARY LEGISLATION

POLICE WELFARE ASSOCIATION RULES

ARRANGEMENTS OF RULES

RULE

1. Interpretation.
 2. Constitution.
 3. Executive Committee.
 4. Committee to look after welfare of Force.
 5. Election of Committee.
 6. Vacancies in Committee.
 7. Mode of representation.
 8. Attending meetings of Association.
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SUBSIDIARY LEGISLATION

47/1976.

POLICE WELFARE ASSOCIATION RULES

made under section 33

Commencement.

[25th November 1976]

Interpretation.

1. These rules may be cited as the –

POLICE WELFARE ASSOCIATION RULES.

Constitution.

2. The Police Welfare Association in these Rules referred to as the “Association”, shall consist of all members of the Police Force below the rank of Assistant Superintendent, and the Association shall act through an Executive Committee as hereinafter provided.

Executive Committee.

3. (1) There shall be an Executive Committee of the Association (hereinafter referred to as the Committee) comprising nine elected members.

(2) The members of the Committee shall be elected in the month of January in each year and shall hold office until a Committee for the succeeding year has been duly constituted.

(3) The members of the Committee shall, by ballot, choose from among their number a chairman and a secretary.

(4) The chairman shall preside at all meetings of the Committee and shall have a second or casting vote. In the absence or inability of the chairman to perform his duties, the members present shall appoint some other member of the Committee to serve temporarily as chairman.

(5) The quorum of the Committee at any meeting shall be five members.

(6) The Committee shall hold at least one meeting in each quarter. Meetings of the Committee shall, subject to the approval of the Commissioner, be held at the Police Headquarters as often as circumstances may require.

4. It shall be the duty of the Committee to consider and make representation with regard to all matters affecting the general welfare and efficiency of the Police Force as a whole.

Committee to look after welfare of Force.

5. (1) At the annual general meeting every member of the Police Force shall have the right to vote at the election of members of the Committee.

Election of Committee.

(2) All such elections shall be by secret ballot under the supervision of a gazetted officer.

(3) At any election under these Rules each voter may give one vote and no more for each of any number of candidates not exceeding the number to be elected.

6. On any vacancy occurring in the Committee during any year another member shall be elected as in the preceding rule to fill the vacancy so occurring.

Vacancies in Committee.

7. Representations may be made by resolution or petition in writing submitted by the secretary to the Superintendent and to the Minister through the proper channels.

Mode of representation.

8. Every opportunity and facility shall be given a member of the Police Force to attend meetings of the Association and every attendance at a meeting shall, as regards allowances and expenses, be deemed to be an occasion of police duty.

Attending meetings of Association.
