

Repealed by No 14/195



TRINIDAD AND TOBAGO.

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[L.S.]

I ASSENT,

B. E. H. CLIFFORD,

Governor.

9th December, 1943.

AN ORDINANCE to amend the Police Ordinance,
Ch. 11. No. 1

[9th December, 1943.]

Commencement.

ENACTED by the Governor of Trinidad and Tobago
with the advice and consent of the Legislative Council
thereof.

1. This Ordinance may be cited as the Police (Amendment) Ordinance, 1943, and shall be read as one with the Police Ordinance, hereinafter referred to as the Principal Ordinance. Short title and construction. **CH. 11. No. 1.**

Section 3 of the Principal Ordinance repealed and replaced.

2. Section 3 of the Principal Ordinance is hereby repealed and replaced by the following section :—

“ Establish-
ment and
objects of
the Force.

3. There shall be established in and for the Colony a Police Force, which shall be an armed force and shall be employed for the prevention and detection of crime and the repression of internal disturbance ; and it shall be lawful for the Governor to issue arms and ammunition to the Force, and for any member thereof to carry and use the same for lawful purposes. ”

New section 3A of the Principal Ordinance.

3. The Principal Ordinance is hereby further amended by inserting immediately after section 3 thereof a new section 3A as follows :—

“ Employ-
ment of the
Force as a
military
Force.

3A. (1) The provisions of subsections (3), (4) and (5) of this section shall have effect only by virtue of a proclamation made, in the event of war or other emergency, by the Governor, 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 Governor, and shall then cease to have effect except as respects things previously done or omitted to be done.

(2) Any such proclamation may relate to only one or two of the said subsections :

Provided that neither subsection (4) nor subsection (5) of this section 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 Colony, and members of the Force to whom the proclamation

applies shall hold, in addition to their police ranks under this Ordinance, such military ranks as may be determined by regulations made by the Governor in Council.

The Governor in Council 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 Ordinance (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 Ordinance 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.

(4) The provisions of the Army Act (44 and 45 Vict. c. 58) and all Acts amending that Act with respect to discipline shall apply to a military force constituted under this section with the following modifications:—

- (a) references to "His Majesty" or "Secretary of State" shall be construed as references to the Governor;
- (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 Governor.

(5) Any person who shall volunteer 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 Governor in Council 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.

(6) 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."

Passed in Council this twelfth day of November in the year of Our Lord one thousand nine hundred and forty-three.

W. J. BOOS,
Clerk of the Council.

1943.
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