

CHAPTER 89.

SUPPLEMENTAL CONSTABULARY.

AN ORDINANCE TO ESTABLISH AND REGULATE SUPPLEMENTAL CONSTABULARY.

*Ordinances*  
No. 11 of 1906,  
,, 29 of 1925,  
s. 16.

[16th May, 1906.]

1. This Ordinance may be cited as the Supplemental Constabulary Ordinance. Short title.

2. In this Ordinance—

Interpreta-  
tion.

“ Constable ” means a rural, estate, or special constable appointed and acting under this Ordinance;

“ Constabulary Force ” means the Force established under the Constabulary Ordinance;

Cap. 88.

“ District ” and “ Division ” mean Constabulary District and Division defined by regulations made under the Constabulary Ordinance;

Cap. 88.

“ Employer ” means any person who, being the owner, manager, attorney, or agent of any estate, plantation, or lands, employs labourers thereon;

“ Estate ” includes estates, plantations, lands, warehouses, storehouses, and business premises throughout the Colony;

“ Non-commissioned officer ” includes a warrant officer; (*Added by 16 of 1908, s. 10.*)

“ Regulations ” means the regulations relating to the Supplemental Constabulary made under this Ordinance and for the time being in force.

3. There shall be established in the Colony supplemental bodies of Constabulary, namely :—

Establish-  
ment of  
Supple-  
mental Con-  
stabulary.

(1) A Rural Constabulary;

(2) An Estate Constabulary.

4. (1) The Rural Constabulary in time of peace shall act as an auxiliary to the Constabulary Force in the performance of its ordinary duties, and in time of internal disturbance or external aggression shall assume the ordinary

Duties.

duties of the Constabulary Force to such extent as may be found requisite by the Inspector-General.

(2) The Estate Constabulary shall be employed in maintaining order on, and in the protection of estates, warehouses, and other private property.

Supreme  
command.

5. Subject to the general order and direction of the Governor, the Inspector-General shall have the command and superintendence of the Supplemental Constabulary, and he shall be responsible to the Governor for their efficient condition and for the proper carrying out of the provisions of this Ordinance.

Powers and  
duties of  
officers of  
Constabulary.

6. Every officer and non-commissioned officer of the Constabulary Force shall, within the limits of the place in which he exercises authority in matters relating to the Constabulary Force, have such control and command of the Supplemental Constabulary, and perform such duties in relation thereto as may be prescribed by the regulations or directed by the Inspector-General.

Number,  
distribution,  
and powers  
of Supple-  
mental  
Constabulary.

7. (1) Subject to the provisions hereinbefore contained, the Rural Constabulary in each division shall consist of such number and grades of non-commissioned officers and of such constables as may from time to time be directed by the Inspector-General, with the sanction of the Governor. Their power and authority under this Ordinance shall extend to the whole Colony.

(2) The Estate Constabulary shall consist of such non-commissioned officers and constables as employers may require, subject to the approval of the Inspector-General. They shall have the power and authority of members of the Constabulary Force in respect of all offences committed on the estate to which they belong throughout the division in which the estate may be situated.

#### *Appointment of Constables.*

Qualifications  
for appoint-  
ment.

8. Every male person who is—

- (1) over eighteen and under fifty-five years of age;
- (2) able-bodied; and
- (3) of good character,

shall be deemed to be qualified for appointment as a constable; but preference shall be given to such persons as

have previously served in a Constabulary or Police Force, but no such person shall be appointed who has not received a good character on discharge.

9. Subject to the provisions of this Ordinance, the Inspector-General may appoint any qualified person to be a constable; but no estate constable shall be appointed unless provision be made to the satisfaction of the Inspector-General by the employer for the remuneration of such constable. Appointment.

10. (1) On appointing any person to be a constable, the Inspector-General shall deliver or cause to be delivered to him a precept authorizing him to act as a constable. Precept of appointment and oath of office.

(2) The precept may be in the Form contained in the First Schedule to this Ordinance.

(3) When he receives the precept, the person so appointed shall take, before any commissioned officer of Constabulary or Justice, if a rural constable, the following oath of office :—

I, \_\_\_\_\_ of \_\_\_\_\_ do swear that I will well and truly serve Our Sovereign Lord the King as a Rural Constable for the Colony of Trinidad and Tobago. So help me God.

and, if an estate constable, the following oath of office :—

I, \_\_\_\_\_ of \_\_\_\_\_ do swear that I will well and truly serve Our Sovereign Lord the King as an Estate Constable on \_\_\_\_\_ Estate situate at \_\_\_\_\_ in the Colony of Trinidad and Tobago. So help me God.

(4) On receiving the precept and taking the oath, the person so appointed shall be a rural or estate constable under the provisions of this Ordinance.

11. Every constable shall be provided with a short manual describing the powers and duties of a constable, a badge and a baton; and such badge shall be evidence of the office of any constable and shall in all cases be displayed by every such constable when exercising the duties of his office. The cost of these articles of equipment shall be defrayed, in the case of the Rural Constabulary, from funds which may be provided by the Legislative Council for such purpose, and, in the case of the Estate Constabulary, by the employer. Equipment.

Making of regulations.

12. (1) The Governor in Executive Council may make regulations relating to all or any of the following matters, that is to say :—

- (a) The duties to be performed by members of the Rural and Estate Constabularies, and their guidance in the performance of such duties;
- (b) The clothing and equipment of the Rural Constabulary;
- (c) The training and discipline of the Rural Constabulary; and
- (d) Generally, the good order and government of the Rural Constabulary.

(2) There may be imposed for the breach of any such regulation such penalty, not exceeding two pounds, as may seem reasonable.

Recovery of fines, etc.

13. When any fine or penalty is imposed upon any constable under the provisions of this Ordinance or of the regulations made thereunder, the amount shall be satisfied out of the pay or allowance coming to such constable by the deduction of not more than half the amount which may be due on any day of payment until the whole be paid; and any such fine or penalty shall be recoverable on summary conviction before a Magistrate or Justice.

#### *Powers and Duties of Constables.*

General powers of constables.

14. (1) Every rural constable throughout the Colony, and every estate constable throughout the division in which the estate to which he belongs is situated, shall have all the powers and shall be entitled to all the privileges and immunities conferred by any law or Ordinance for the time being in force upon any constable of the Constabulary Force.

(2) Every rural or estate constable may serve and execute any summons, warrant, or other process in any cause or matter, whether civil, quasi-criminal, or criminal, issued by any Magistrate.

(3) Every rural and estate constable shall obey all orders lawfully given to him by a Magistrate or by his superior officer.

15. (1) The Inspector-General may, with the sanction of the Governor, at any time call out the Rural Constabulary or any portion thereof for active service.

Calling out rural constables for active service.

(2) In any case of great emergency, any officer of Constabulary may call out for active service the portion of the Rural Constabulary subject to his orders.

(3) Except in case of great urgency, a rural constable shall not be required to serve beyond the limits of the division in which he resides.

(4) When any such call is made, every rural constable who is so called out shall forthwith or at the appointed time, unless he is specially excused by the Inspector-General or his superior officer, repair to the appointed place of muster, and shall there place himself under the orders of the officer in command for such service as may be required of him, and during such period as may be necessary, and while so called out shall serve under the Constabulary Ordinance, and all regulations made thereunder.

Cap. 88.

(5) If any rural constable refuses or neglects to comply with the requirements of this section, he shall be liable, on summary conviction before a Magistrate, to a penalty not exceeding five pounds, or to imprisonment, with or without hard labour, for any term not exceeding two months.

(6) In any proceeding against a rural constable under this section, proof that a notice calling out rural constables for active service was posted at a Constabulary Station in the division in which the rural constable resides shall be conclusive proof that the call came to the knowledge of the rural constable.

16. Whenever any rural constable is called out or employed on active service, or serves or executes any process mentioned in section 14 of this Ordinance, he shall be paid for his services from such moneys as may be provided by the Legislative Council for that purpose, at and after the rates specified in the Second Schedule to this Ordinance, or at and after such other rates as may from time to time be fixed by resolution of the Legislative Council.

Remuneration of rural constable.

17. If any constable—

- (1) refuses or neglects to obey any order lawfully given to him; or

Offences by constable.

(2) refuses or neglects to serve or execute any summons, warrant, or other process as hereinbefore mentioned; or

(3) is guilty of any violation or neglect of duty not otherwise provided for in this Ordinance,

he shall be liable, on summary conviction before a Magistrate, to a penalty not exceeding five pounds, or to imprisonment, with or without hard labour, for any term not exceeding two months.

*Resignation, etc., of Constable.*

Resignation  
of constable.

18. (1) A constable shall be at liberty to resign his appointment on giving one month's notice in writing of his intention so to resign—

(a) if a rural constable, to the Inspector of the division in which he resides; or

(b) if an estate constable, to the employer:

Provided, however, that the Inspector-General may, in the case of a rural constable, if he thinks fit, refuse to accept such resignation for such period as he may deem necessary.

(2) If in any case he thinks fit to do so, the Inspector-General may allow a constable to resign his appointment without giving notice.

Dismissal of  
constable.

19. (1) The Inspector-General may at any time dismiss any constable from his office or dispense with the services of any constable.

(2) The employer of any estate constable may at any time dispense with the services of such constable.

Recom-  
mendation for  
suspension  
or dismissal.

20. (1) A Magistrate may interdict any constable of his district from the performance of his duties.

(2) In such case the Magistrate shall forthwith report such interdiction and the grounds thereof to the Inspector-General.

(3) A Magistrate may, whether after or without such interdiction, and a Justice may, recommend to the Inspector-General that a constable be suspended or dismissed from his office.

(4) It shall be the duty of the Inspector-General to take such interdiction or recommendation, or both, into his consideration, and, after allowing the constable an opportunity of making his defence, to communicate his decision to the Magistrate or Justice and to the constable.

21. The Inspector-General shall give due notice in the *Royal Gazette* and in one daily newspaper published in the Colony of all appointments and dismissals of constables under this Ordinance, and shall, in the month of January in each year, publish in the *Royal Gazette* and in such newspaper a list of all the rural and estate constables appointed and acting, specifying the residences of such constables and the districts in which they reside, and specifying the non-commissioned officers.

Publication of notice of appointment and dismissal.

22. When any estate constable ceases to be employed, the employer shall, within one week next after the determination of the employment of such constable, inform the Inspector-General either directly or through the Inspector of the division, and should the services of such constable have been dispensed with he shall inform the Inspector-General of the reason for such action. Any employer who shall fail to report such determination of employment or reason for dispensing with the services of an estate constable shall be liable, on summary conviction before a Magistrate, to a penalty not exceeding five pounds.

Determination of employment of estate constable.

23. (1) When any constable resigns or is dismissed from, or ceases to hold and exercise, his office, all powers and authorities vested in him as a constable shall immediately cease and determine, and he shall, within seven days thereafter, deliver over all articles or appointments which may have been supplied to him for the execution of his office to the non-commissioned officer in charge of the Constabulary Station nearest to which he resides.

Delivery up of appointments by constable resigning, etc.

(2) Every constable who contravenes this section shall be liable, on summary conviction before a Magistrate, to a penalty not exceeding five pounds, or to imprisonment, with or without hard labour, for any term not exceeding two months; and it shall be lawful for any Justice to issue his warrant to search for and seize all such articles or appointments 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.

Delivery up  
of appoint-  
ments of  
deceased  
constable.

24. (1) When any constable dies, any person in possession of any articles or appointments which have been supplied to such constable for the execution of his office, shall be bound, within fourteen days after such death, to deliver up to the non-commissioned officer in charge of the Constabulary Station nearest to which such constable resided all articles or appointments which may have been supplied to and been in the possession of such constable for the execution of his office at the time of his death.

(2) Every person who contravenes this section shall be liable, on summary conviction before a Magistrate, to a penalty not exceeding five pounds, or to imprisonment, with or without hard labour, for any term not exceeding two months; and it shall be lawful for any Justice to issue his warrant to search for and seize all such articles or appointments which are not so delivered up wherever the same may be found, and to arrest the person in whose possession the same may be found.

Bodily injury  
to constable.

25. When any constable sustains bodily injury while in the actual discharge of his duty, he shall be provided with medicines, medical comforts, and medical attendance—

- (1) if a rural constable, at the public expense on the written authority of any officer of Constabulary;
- (2) if an estate constable, at the expense of the employer.

Reward for  
apprehension  
of criminal.

26. If, on the trial of any case in the Supreme Court in its criminal jurisdiction, the Judge before whom the case is tried is of opinion that any constable has distinguished himself in apprehending or detecting and bringing to justice the perpetrator or abettor of any crime, the Judge shall have authority to grant a reward, not exceeding two pounds, to such constable; and such reward shall be paid by the Treasurer, on the certificate of the Judge, out of any moneys which may be provided by the Legislative Council for the purpose.

Rewards to  
constables.

27. The Governor may grant rewards or gratuities to such constables as he may think deserving of reward or gratuity; and the sums so granted shall be paid out of any moneys which may be provided by the Legislative Council for the purpose.

28. If any person shall have in his possession any badge, or baton, or other article furnished for the use of a constable, and shall not satisfactorily account for his possession thereof; or if any person shall falsely answer the name of, or act as, or personate, a constable, he shall be liable, on summary conviction before a Magistrate, in addition to any other punishment to which he shall have subjected himself, to a penalty not exceeding ten pounds, or to imprisonment, with or without hard labour, for any term not exceeding six months.

Unlawful possession of badge, etc., and personation of constable.

*Special Constables.*

29. (1) In all cases where it appears to any Justice that any tumult, riot, or unlawful assembly has taken place or may be reasonably apprehended within his county or district, such Justice is hereby authorized to appoint, by precept under his hand, so many as he thinks fit of the persons under sixty years of age residing in such county or district to act as special constables for the preservation of the public peace and the protection of property, and notice of such appointment and of the circumstances which have rendered such appointment expedient shall be forthwith transmitted by such Justice to the Colonial Secretary and to the Inspector of the division.

Appointment and powers of special constables.

(2) On such appointment, every special constable shall take, before a Justice, who is hereby authorized to administer it, the following oath of office:—

Oath of special constable.

I, A. B., do swear that I will well and truly serve our Sovereign Lord the King in the office of special constable without favour or affection, malice or ill-will; and that I will to the best of my power cause the peace to be kept and preserved, and prevent all offences against the persons and properties of His Majesty's subjects; and that while I continue to hold the said office I will to the best of my skill and knowledge discharge all the duties thereof faithfully according to law. So help me God. (*Added by 29 of 1925. s. 16.*)

(3) After their appointment, such special constables shall have all the powers, authorities, privileges, and immunities of members of the Constabulary Force, and every act done by or to a special constable in the execution of his duty as such shall have the same effect and be attended with the same liabilities and other consequences as if done by or to a member of the Constabulary Force in the execution of his duty as such.

30. Every special constable shall, when called upon so to do, deliver over to such person and at such time and place as may be directed by any Inspector of Constabulary

Special constables to deliver up weapons, etc.

every badge, staff, weapon, and other article provided for such special constable; and any special constable omitting or refusing so to do shall be liable, on summary conviction before a Magistrate, to a penalty not exceeding five pounds, or to imprisonment for any term not exceeding fourteen days; and it shall be lawful for any Justice to issue his warrant to search for and seize all such articles or appointments 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.

Command of  
special  
constables.

**31.** Special constables shall be under the orders of such officers as may be appointed to command them by the Governor, and in the absence of any such appointment, under the orders of the senior officer of Constabulary present.

Penalty on  
special  
constable  
refusing to  
act.

**32.** Any person appointed a special constable who, without reasonable cause, neglects or refuses to take the necessary oath and serve as such special constable when called upon so to do by the Inspector-General, the Deputy Inspector-General or officer of Constabulary, or any Justice, or who neglects or refuses to obey any lawful command, shall be liable, on summary conviction before a Magistrate, to a penalty not exceeding five pounds, or to imprisonment for any term not exceeding fourteen days.

Payment of  
special  
constables.

**33.** The Governor may, by warrant under his hand, direct the Treasurer to pay out of the general revenue of the Colony, in respect of the services, equipment, and other expenses of special constables and the expenses incident to their employment, such sum or sums as he considers necessary.

Badge, etc.,  
of special  
constables.

**34.** The Inspector-General may require any special constable to wear and use while on duty such distinctive badge and appointments as such Inspector-General, under the direction of the Governor, from time to time supplies for this purpose. Any special constable who retires or is removed from his office shall forthwith return to the Inspector-General or any Inspector or non-commissioned officer of Constabulary appointed by the Inspector-General any badge or appointments supplied to him in accordance with this section. In case of any default the defaulter shall be liable, on summary conviction before a Magistrate,

on complaint by the Inspector-General or any officer of Constabulary, to be ordered to pay to the complainant the value of any article as to which default has been made, together with a penalty not exceeding two pounds, and also, if the Magistrate thinks fit, to imprisonment, with or without hard labour, for any term not exceeding fourteen days.

FIRST SCHEDULE.

FORM OF PRECEPT TO CONSTABLE.

(Section 10.)

TRINIDAD AND TOBAGO.

THE SUPPLEMENTAL CONSTABULARY ORDINANCE.

To \_\_\_\_\_ of \_\_\_\_\_

I \_\_\_\_\_, Inspector-General of Constabulary, do, under and by virtue of the power and authority in me vested by the Supplemental Constabulary Ordinance, hereby appoint you to be a (Rural or Estate) Constable, and I do issue to you this Precept authorizing you to act as a (Rural or Estate) Constable.

Dated this \_\_\_\_\_ day of \_\_\_\_\_ 19 \_\_\_\_\_.

(Signed)

*Inspector-General of Constabulary.*

NOTE.—On the precept of Estate Constables the estate will be specified on the reverse.

SECOND SCHEDULE.

TABLE OF FEES, ETC., PAYABLE TO RURAL CONSTABLES.

(Section 16.)

|  | From  | To    |
|--|-------|-------|
|  | s. d. | s. d. |
| 1. For making any arrest where a warrant has been issued, and attending at Court ... ..  | 5 0   | 10 0  |
| 2. For making any arrest where a warrant has not been issued, and attending at Court, if the Magistrate considers the arrest was properly made ...                     | 5 0   | 10 0  |
| 3. For making out a summons and attending at Court, if the summons has been initialled by an officer or non-commissioned officer of Constabulary                       | 2 6   | 5 0   |
| 4. For executing in the prescribed manner any warrant of distress or levy, or warrant of ejectment, or other process issued by a Magistrate or Justice                 | 2 6   | 5 0   |
| 5. For attendance at any muster, for a non-commissioned officer, per diem ...  | 5 0   | 5 0   |
| For attendance at any muster, for a private constable, per diem ...  | 5 0   | 5 0   |
| 6. For performance of Constabulary duties when required to assist the Constabulary, for every 12 hours or part of 12 hours ... ..                                      | 2 6   | 2 6   |
| 7. In special cases, on the recommendation of the Inspector of the division  | 5 0   | 5 0   |
| 8. Travelling allowance to a constable when engaged in the execution of his duty may be awarded on the scale for the time being sanctioned for the Constabulary Force. |       |       |

*Note.*

- (1) The fees and allowances specified in Nos. 1-4 and 8 shall, as regards the amount where such amount is within specified limits, be in the discretion of the Magistrate; and such fees and allowances shall be certified by the said Magistrate at the conclusion of the case or the completion of the service. The account shall be made out by the Clerk of the Peace and when certified shall be forwarded to the Inspector-General.
- (2) The fees specified in No. 5 shall be paid by the officer in command at the close of the muster.
- (3) In any case under No. 1 the Governor may, on the recommendation of the Magistrate, award special remuneration, not exceeding £1.
- (4) Where more than two services are performed on the same day, not more than 10s. shall be awarded altogether for such services.