



TRINIDAD AND TOBAGO.

No. 14—1946.

[L.S.]

I ASSENT,

B. E. H. CLIFFORD,

Governor.

6th April, 1946.

AN ORDINANCE to provide for the establishment of a Special Reserve Police Force.

[11th April, 1946.]

Commence-
ment.

Enactment.

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

Short title

1. This Ordinance may be cited as the Special Reserve Police Ordinance, 1946.

2. In this Ordinance—

Interpretation

“Commissioner”, “Deputy Commissioner”, “Superintendent” and “Assistant Superintendent” mean respectively the Commissioner of Police, the Deputy Commissioner of Police, a Superintendent of Police and an Assistant Superintendent of Police appointed as such under the Police Ordinance;

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“constable” means a constable appointed under this Ordinance;

“dependants” means such of the members of the family of the deceased member of the Special Reserve Police as were wholly or in part dependent upon his income at the time of his death, and where such member of the Special Reserve Police, being the parent or grandparent of an illegitimate child, leaves such a child so dependent upon his income, or, being an illegitimate child leaves a parent or grandparent so dependent upon his income, shall include such an illegitimate child and parent or grandparent respectively: Provided that a person shall not be deemed to be a partial dependant of a member of the Special Reserve Police unless he was dependent partially on contributions from such member for the provision of the ordinary necessities of life suitable for persons in his class and position;

“district” and “division” mean police district and division as defined for the purposes of the Police Ordinance;

“officer” means an officer appointed under this Ordinance;

“subordinate officer” means a sergeant-major, sergeant, corporal, lance-corporal and acting lance-corporal appointed under this Ordinance.

3. In addition to the supplemental bodies of Police established under the provisions of the Supplemental Police Ordinance, a new supplemental body of Police styled “Special Reserve Police” shall be established under the provisions of this Ordinance.

Special Reserve Police established.

4. (1) The Special Reserve Police or any part thereof may be called out for service by the Commissioner, Deputy Commissioner or any Superintendent or Assistant Superintendent in cases of external aggression or internal disturbance, actual or threatened, or on any special occasion when additional police may be required for the preservation of good order.

Duties

(2) Every member of the Special Reserve Police shall whether or not he has been called out for service under this section attend and carry out such parades and drills in such places and at such times and in such manner as may be ordered by the officer in command of his division, and when he has been called out for service under this section, shall carry out such duties of the Police Force and in such places and at such times and in such manner as may be ordered by the Commissioner or Deputy Commissioner or by a Superintendent or Assistant Superintendent or by the officer in command of the division or by any officer or subordinate officer of the Special Reserve Police who is senior to him. Every member of the Special Reserve Police shall, while on parade or at drill or on duty obey all lawful orders which may be given to him by the Commissioner or Deputy Commissioner or by a Superintendent or Assistant Superintendent or by the officer in command of the division or by any officer or subordinate officer of the Special Reserve Police who is senior to him.

(3) No member of the Special Reserve Police shall leave his division during any period in which the Special Reserve Police is called out for service under this section without the permission of the officer in command of the division, and if such permission is granted he shall comply with any conditions attached to such permission.

Disciplinary
punishment.

5. (1) Every subordinate officer and constable who shall be guilty of any of the following offences :—

- (a) insubordination ;
- (b) wilful disobedience of a lawful order ;
- (c) any contravention of subsection (3) of Section 4 of this Ordinance ;
- (d) absence from parade, drill, or duty without leave ;
- (e) making away with, pawning, selling, losing by carelessness or wilfully damaging a uniform or any part thereof or any article which has been supplied to him at the public expense for the performance of his duties as a member of the Special Reserve Police ;
- (f) any act, conduct or neglect to the prejudice of good order and discipline or in violation of duty in his office, or any other misconduct as a member of the Special Reserve Police,

shall on conviction before the officer in command of his division be liable to one or more of the following punishments :—

- (i) dismissal ;
- (ii) reduction to a lower rank ;
- (iii) a fine not exceeding twenty-four dollars ;
- (iv) extra parades, drills and duties.

Any member of the Special Reserve Police who is dissatisfied with the decision of his superior officer in any matter may appeal to the Commissioner, who may make such order as the circumstances may require, and whose decision shall be final.

The Commissioner may, without any appeal, reduce any punishment imposed by any officer on any member of the Special Reserve Police and no sentence of dismissal shall be valid until confirmed in writing by the Commissioner.

(2) A subordinate officer or constable shall not be convicted unless the charge against him has been investigated in his presence and he has been given sufficient opportunity to defend himself.

6. Subject to the general order and directions of the Governor Command. the Commissioner shall have the general command and superintendence of the Special Reserve Police, and he shall be responsible to the Governor for their efficient condition and for the proper carrying out of the provisions of this Ordinance.

7. Subject to the provisions hereinbefore contained, the Number and distribution of Special Reserve Police Special Reserve Police in each division shall consist of such member and grades of officers, subordinate officers, and constables, as may from time to time be directed by the Commissioner, with the sanction of the Governor: Provided that the powers and authority of any member of the Special Reserve Police under this Ordinance may be exercised in any part of the Colony.

8. Every male person who is :—

(1) over 18 years of age ;

(2) able-bodied ; and

(3) of good character

Qualification for appointment.

shall be deemed to be qualified for appointment as a member of the Special Reserve Police.

9. The Commissioner may by writing under his hand appoint Appointment of officers. fit and proper persons to be officers of the Special Reserve Police and such officers shall be assigned to such division or district as the Commissioner may direct.

10. The Commissioner may appoint fit and proper persons to Appointment of subordinate officers and constables. be subordinate officers or constables of the Special Reserve Police.

Precept of
appointment
and oath of
office.

11. (1) On appointing any person to be a subordinate officer or constable under this Ordinance, the Commissioner shall deliver or cause to be delivered to him a precept authorising him to act as such.

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

(3) When he receives the precept, the person who is appointed shall take and subscribe, before any commissioned officer of Police, the following oath of office:—

I,.....of.....
do swear that I will well and truly serve our
Sovereign Lord the King as a member of the Special
Reserve Police for the Colony of Trinidad and
Tobago so help me God.

(4) On receiving the precept and taking and subscribing the oath, the person who is appointed shall become a member of the Special Reserve Police established under the provisions of this Ordinance.

equipment.

12. Every member of the Special Reserve Police shall be provided with a short manual describing the powers and duties of members of the Special Reserve Police, a badge, a baton and such clothing and other equipment as may be approved by the Commissioner. Such badge shall be evidence of the office of any member of the Special Reserve Police and shall in all cases be displayed by every such member when exercising the duties of his office. The cost of these articles of clothing and equipment shall be defrayed from such funds as may be provided by the Legislative Council.

Resignation.

13. Any member of the Special Reserve Police may at any time on giving one month's notice in writing to the Commissioner resign his appointment as such member.

Revocation of
appointment.

14. The appointment of any member of the Special Reserve Police may be revoked at any time by the Commissioner.

Penalty for
refusing to
serve.

15. Any member of the Special Reserve Police who, without reasonable cause, neglects or refuses to serve when called out by the Commissioner, the Deputy Commissioner, or any Superintendent or Assistant Superintendent shall, unless he is dealt with under Section 5 of this Ordinance, be liable on summary conviction to imprisonment for one month or to a fine of forty-eight dollars.

16. (1) Every member of the Special Reserve Police who resigns his appointment or otherwise ceases to form part of the Special Reserve Police shall forthwith deliver up to the person appointed by the Commissioner for that purpose every article whatsoever which has been supplied to him at the public expense for the performance of his duties as a member of the Special Reserve Police and which he has not been expressly authorised to keep or use for his private benefit.

Delivery of articles supplied on leaving.

(2) Every person who fails to comply with this section shall be liable on summary conviction to imprisonment for three months or to a fine of forty-eight dollars; and it shall be lawful for any Magistrate of Justice to issue his warrant to search for and seize all such articles as aforesaid 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.

17. (1) When any member of the Special Reserve Police dies any person in possession of any articles which had been supplied to such member at the public expense for the performance of his duties as a member of the Special Reserve Police, shall be bound, within fourteen days after such death, to deliver any such articles over to the member of the Police Force in charge of the Police Station nearest to which such person resides.

Delivery up of articles having belonged to a deceased member.

(2) Any person who contravenes this section shall be liable, on summary conviction, to imprisonment for two months or to a fine of twenty-four dollars; and it shall be lawful for any Magistrate or Justice to issue his warrant to search for and seize all such articles 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.

18. There shall be established in the manner hereinafter mentioned a fund to be called the Special Reserve Police Reward Fund (in this Ordinance referred to as the "Reward Fund") and such fund shall be kept by the Commissioner and administered in the manner directed by this Ordinance and shall be appropriated to the payment of—

Reward Fund.

- (a) such rewards as the Governor may from time to time award or direct to be paid to subordinate officers and constables; and
- (b) such special compensation for injuries received by members of the Special Reserve Police in the execution of their duty as the Governor may from time to time award.

Account to be kept.

19. The Commissioner shall keep an account of all moneys paid into and disbursed from the Reward Fund, and shall submit to the Auditor at the end of each month a statement showing all receipts and disbursements and shall state thereon the reasons and authority for each disbursement, and shall deposit all moneys received for the credit of the Reward Fund as soon as practicable in the Post Office Savings Bank to a special account. When the sum standing to the credit of the Reward Fund shall exceed two thousand four hundred dollars the Governor shall decide to what purpose the surplus shall be put.

Moneys to be banked.

Powers, immunities, and pay,

20. (1) Every member of the Special Reserve Police shall have all the powers and shall be entitled to all the immunities conferred by any law from time to time in force upon any constable of the Police Force.

(2) Every member of the Special Reserve Police shall, when called out for service or attending parades or drills, be paid for his services from such moneys as may be provided therefor by the Legislative Council at the rates approved by resolution of the Legislative Council on the 29th October, 1943, for the Special Reserve Police established under the Defence (Special Reserve Police) Regulations, 1942, as amended, or at such other rates as may from time to time be approved by resolution of the Legislative Council.

(3) Any fine imposed on a member of the Special Reserve Police under section 5 of this Ordinance may be deducted from any pay to which he is or may become entitled under this Ordinance, and, if so deducted, shall be paid to the credit of the Reward Fund; and any bribe or gift of money coming into the possession of any such member, and the value of any goods given as a bribe to any such member, shall be paid to the credit of the said Fund.

21. (1) When any member of the Special Reserve Police, through no fault of his own, contracts an illness or sustains bodily injury while in the actual discharge of his duties as such—

(a) he shall be provided with medicines, medical comforts and medical attendance at the public expense on the written authority of the Commissioner or Deputy Commissioner;

(b) he shall receive full pay according to his rank in the Special Reserve Police during any period of incapacitation, but not exceeding three months without a recommendation from a medical board, and in no case exceeding twelve months;

- (c) he shall receive such compensation from the Reward Fund, not exceeding twenty-five dollars, as may be awarded by the Commissioner, or such other sum as may be authorised by the Governor.

(2) When any member of the Special Reserve Police through no fault of his own, sustains bodily injury while in the actual discharge of his duties as such and is thereby permanently disabled (either totally or partially) it shall be lawful, if there be no other law in force regulating the grant of compensation in such cases for the Governor in Council to grant him a pension or gratuity the amount of which shall be subject to the approval of the Legislative Council.

(3) In case of death of any member of the Special Reserve Police from bodily injury sustained in the circumstances specified in the next preceding subsection of this section it shall be lawful for the Governor in Council, if there be no other law in force regulating the grant of compensation in such cases, to grant to his dependants a pension or gratuity, the amount of which shall be subject to the approval of the Legislative Council.

(4) Members of the Special Reserve Police shall not be regarded as workmen for the purposes of the Workmen's Compensation Ordinance, but the principles of the said Ordinance may be followed in computing compensation granted under the provisions of this Ordinance in respect of permanent disability or death.

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22. (1) Any person not being a member of the Special Reserve Police who in any way pretends to be a member thereof for the purpose of doing any act which such person would not be entitled to do, if not a member of the Special Reserve Police, called out for service, shall be liable on summary conviction to imprisonment for three months or to a fine of ninety-six dollars.

Personation of member of the Special Reserve Police.

(2) Any person who shall have in his possession any badge or baton or other equipment furnished for the use of a member of the Special Reserve Police and who shall not satisfactorily account for his possession thereof, shall be liable on summary conviction, in addition to any other punishment to which he shall have subjected himself, to imprisonment for three months or to a fine of ninety-six dollars.

Unlawful possession of badges, &c.

Members of
body of Police
establishe d
under Defence
Regulations
deemed to be
members of
Special
Reserve
Police.

23. Members of the Special Reserve Police established under the Defence (Special Reserve Police) Regulations, 1942 at the date of the commencement of this Ordinance of any rank shall be deemed to be members of the Special Reserve Police established under this Ordinance and to hold corresponding ranks therein and it shall not be necessary for the Commissioner to deliver a precept to any such member nor for any such member to take the oath of office prescribed by section 11 of this Ordinance.

SCHEDULE.

FORM OF PRECEPT

TRINIDAD AND TOBAGO.

THE SPECIAL RESERVE POLICE ORDINANCE, 1946.

To.....of

I,....., Commissioner of Police, do under and by virtue of the power and authority in me vested by the Special Reserve Police Ordinance, 1946, hereby appoint you to be a..... and I do issue to you this precept authorising you to act as a.....

Dated this.....day of.....19.....

.....
Commissioner of Police.

Passed in Council this twenty-ninth day of March, in the year of Our Lord one thousand nine hundred and forty-six.

W. J. BOOS;
Clerk of the Council.