

LAWS OF TRINIDAD AND TOBAGO

SUPPLEMENTAL POLICE ACT

CHAPTER 15:02

Act

11 of 1906

Amended by

29 of 1925

15 of 1950

8 of 1955

16 of 1962

29 of 1967

45 of 1979

6 of 1993

Current Authorised Pages

<i>Pages</i>	<i>Authorised</i>
<i>(inclusive)</i>	<i>by L.R.O.</i>
<i>1-31</i>	<i>.. 1/2006</i>

LAWS OF TRINIDAD AND TOBAGO

Index of Subsidiary Legislation

	<i>Page</i>
Supplemental Police Regulations (GN 74/1951)	21
Estate Police Association Rules (15 of 1950)	26
Supplemental Police (Government Ministries Estate) Order (LN 101/1982) ...	31
Supplemental Police (Public Transport Service Corporation Estate) Order (LN 57/1984)	31

Note on Adaptation

1. Certain fees in this Chapter were increased by the Commission under paragraph 4 of the Second Schedule to the Law Revision Act (Ch. 3:03). Where this occurs, a marginal reference in the form normally indicating an amendment is made to LN 51/1980 (the Legal Notice by which the President's approval was signified).
2. Under paragraph 6 of the Second Schedule to the Law Revision Act (Ch. 3:03) the Commission amended certain references to public officers in this Chapter. The Minister's approval of the amendments was signified by LN 120/1980, but no marginal reference is made to this Notice where any such amendment is made in the text.

CHAPTER 15:02

SUPPLEMENTAL POLICE ACT

ARRANGEMENT OF SECTIONS

SECTION

1. Short title.
2. Interpretation.
3. Establishment of Supplemental Police.
4. Duties.
5. Supreme command.
6. Powers and duties of members of Police.
7. Number, distribution and powers of Supplemental Police.

APPOINTMENT OF CONSTABLES

8. Qualifications for appointment.
9. Appointment.
10. Precept of appointment and oath of office.
11. Equipment.
12. Making of Regulations.
13. Recovery of penalties.

POWERS AND DUTIES OF CONSTABLES

14. General powers of constables.
15. Calling out rural constables for service.
16. Remuneration of rural constable.
17. Offences by constable.

RESIGNATION, ETC., OF CONSTABLE

18. Resignation of constable.
19. Dismissal of constable.
20. Recommendation for suspension or dismissal.
21. Publication of notice of appointment and dismissal.
22. Determination of employment of estate constable.
23. Delivery up of appointments by constable resigning, etc.

ARRANGEMENT OF SECTIONS—*Continued*

SECTION

24. Delivery up of appointments of deceased constable.
25. Bodily injury to constable.
26. Reward for apprehension of criminal.
27. Rewards to constables.
28. Unlawful possession of badge, etc., and personation of constable.

SPECIAL CONSTABLES

29. Appointment and powers of special constables.
Oath of special constable.
30. Special constables to deliver up weapons, etc.
31. Command of special constables.
32. Penalty on special constable refusing to act.
33. Payment of special constables.
34. Badge, etc., of special constables.

PROHIBITED ASSOCIATIONS

35. Definitions.
36. Estate constables not to join prohibited associations.
37. Prohibition of estate constable receiving benefits from prohibited associations.
38. Constitution of Estate Police Association.
39. Estate Police Association Rules.
40. Dispute procedure.
41. Agreements.
42. Powers of Special Tribunal.
43. Awards to be binding on parties to dispute.
44. Penalty on persons causing disaffection, etc.
45. Membership of trade unions by existing estate constables.
46. Right of individual estate constable to make representations.

SCHEDULE.

CHAPTER 15:02

SUPPLEMENTAL POLICE ACT

An Act relating to Supplemental Police Bodies.

1950 Ed.
Ch. 11 No. 2.

[16TH MAY 1906]

11 of 1906.
Commencement.

1. This Act may be cited as the Supplemental Police Act.

Short title.

2. In this Act—

“Commissioner” means the Commissioner of Police;

“constable” means—

Interpretation.
[15 of 1950
8 of 1955
29 of 1967
45 of 1979].

(a) any member of the supplemental bodies of Police established under section 3;

(b) any person appointed a special constable under section 29;

“dispute” means any dispute or difference between employers and estate constables connected with the employment or non-employment or with the terms and conditions of employment of any estate constable but does not include any dispute with respect to the exercise by any person of any power in relation to questions of discipline, promotion or transfer conferred on him by this Act or by Regulations made thereunder;

“district” and “division” mean Police district and division defined by Regulations made under the Police Service Act;

Ch. 15:01.

“employer” includes the Government of Trinidad and Tobago, and the owner, manager, attorney or agent of any estate on which an estate constable is employed and a protective service agency;

“estate” includes any plantation, lands, warehouse, storehouse, or business premises; but where two or more estates as so defined are in the ownership of the same employer, the Commissioner of Police, on the application of the employer, may by Order direct that any or all of such estates shall be deemed to be one estate for the purposes of this Act, and the estates shall thereupon be deemed to be one estate;

“First Division Officer” means any of the officers specified in the First Schedule to the Police Service Act;

“Police Service” means the Police Service established under the Police Service Act;

Ch. 81:01.

“protective service agency” means a body corporate registered under the Companies Act whose principal object is the protection of persons and property by providing guards and escorts and approved for that purpose by the Minister;

Ch. 15:01.

“Second Division Officer” means any of the officers specified in the Second Schedule to the Police Service Act;

Ch. 23:01.

“Special Tribunal” means the Special Tribunal established by section 21(1) of the Civil Service Act.

Establishment of Supplemental Police. [8 of 1955 29 of 1967].

3. There shall be established in Trinidad and Tobago supplemental bodies of Police, namely—

- (a) a Rural Police;
- (b) an Estate Police.

Duties. [8 of 1955 29 of 1967].

4. (1) Subject to section 14(1), the Rural Police in time of peace shall act as an auxiliary to the Police Service in the performance of its ordinary duties, and in time of internal disturbance or external aggression shall assume the ordinary duties of the Police Service to such extent as may be found requisite by the Commissioner.

(2) The Estate Police shall comprise such constables as are employed on any estate in the maintenance of order on, and in the protection of, the estate and such constables as are employed by a protective service agency.

Supreme command.

5. Subject to the general order and direction of the Minister, the Commissioner shall have the command and superintendence of the Supplemental Police, and he shall be responsible to the Minister for their efficient condition and for the proper carrying out of the provisions of this Act.

Powers and duties of members of Police. [15 of 1950 29 of 1967 45 of 1979].

6. Every member of the Police Service shall, within the limits of the place in which he exercises authority in matters relating to the Police Service, have such control and command

of the Supplemental Police, and perform such duties in relation thereto as may be prescribed by the Regulations or directed by the Commissioner.

7. Subject to the provisions contained above—

- (a) the Rural Police in each division shall consist of such number and ranks of constables residing in the division as may with the sanction of the Minister from time to time be directed by the Commissioner. Their power and authority under this Act shall extend throughout the division to which they are appointed;
- (b) the Estate Police employed on any estate or by a protective service agency shall consist of such number and ranks of constables as the employer may, subject to the approval of the Commissioner, require and shall have the power and authority of members of the Police Service in respect of all offences committed on the estate to which they belong and throughout the division in which the estate may be situated. However, constables employed by a protective service agency shall have the power and authority of members of the Police Service in respect of all offences committed in relation to any person whom or any property which they are employed to guard or protect.

Number, distribution and powers of Supplemental Police. [8 of 1955 29 of 1967].

APPOINTMENT OF CONSTABLES

8. (1) Every person who is—

- (a) over eighteen and under sixty years of age;
- (b) able-bodied; and
- (c) of good character,

Qualifications for appointment. [15 of 1950 8 of 1955 29 of 1967 45 of 1979].

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 Police Service.

(2) Every such constable appointed as above shall be required to retire on his attaining the age of sixty-five years. However, the Commissioner of Police, with the approval of the Minister may call upon any such constable to retire at any time after he has attained the age of sixty years.

Appointment.
[8 of 1955
29 of 1967].

9. Subject to this Act, the Commissioner may appoint any qualified person to be a constable; but no estate constable shall be appointed unless provision is made to the satisfaction of the Commissioner by the employer for the remuneration of such constable.

Precept of
appointment and
oath of office.
[15 of 1950
8 of 1955
29 of 1967
45 of 1979].

10. (1) On appointing any person to be a constable, the Commissioner shall deliver or cause to be delivered to him a precept authorising him to act as a constable signed by the Commissioner, or on his behalf by any First Division Officer lawfully authorised by him in writing.

Schedule.

(2) The precept may be in the form contained in the Schedule but for the purposes of section 7(b), may be in such other form as the Commissioner may determine.

(3) When he receives the precept, the person so appointed shall take, before any First Division Officer or Justice, if a rural constable, the following oath of office:

I, of do swear that I will well and truly serve the State as a Rural Constable for the Division 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 the State as an Estate Constable on Estate situated at in 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 Act.

11. Every constable shall be provided with a short manual describing the powers and duties of a constable, a badge and a baton; and the 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 Police or members of the Estate Police in the employ of the Government of Trinidad and Tobago from funds which may be provided by Parliament for such purpose, and in the case of other members of the Estate Police by the employer.

Equipment.
[8 of 1955
29 of 1967].

12. (1) The Minister may make Regulations relating to all or any of the following matters:

Making of
Regulations.
[15 of 1950
8 of 1955
29 of 1967
6 of 1993].

- (a) the duties to be performed by members of the Rural and Estate Police, and their guidance in the performance of the duties;
- (b) the clothing and equipment of the Rural Police;
- (ba) the payment of fees for the issuance of precepts;
- (c) the training and discipline of the Rural Police; and
- (d) generally, the good order and government of the Rural and Estate Police.

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

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

Recovery of
penalties.

POWERS AND DUTIES OF CONSTABLES

14. (1) Every rural constable throughout the division to which he is appointed and every estate constable throughout the division in which the estate to which he belongs is situated, and every estate

General powers
of constables.
[15 of 1950
8 of 1955
29 of 1967].

constable employed by a protective service agency while engaged in the performance of his duties shall have all such rights, powers, authorities, privileges and immunities and be liable to all such duties and responsibilities, as any member of the Police Service below the rank of corporal now has or is subject or liable to, or may hereafter have or be subject or liable to either by Common Law or by virtue of any law which now is or may hereafter be in force in Trinidad and Tobago.

(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.

Calling out rural constables for service. [8 of 1955, 45 of 1979].

15. (1) Subject to section 14(1), the Commissioner may, with the sanction of the Minister, at any time call out the Rural Police or any portion thereof for active service.

(2) In any case of great emergency, any member of the Police Service of or above the rank of Corporal may call out for active service the portion of the Rural Police subject to his orders.

(3) 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 Commissioner 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 Police Service Act and all regulations made thereunder.

Ch. 15:01.

(5) If any rural constable refuses or neglects to comply with the requirements of this section, he is liable on summary conviction to a fine of two hundred dollars or to imprisonment for 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 Police 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, he shall be paid for his services from such moneys as may be provided by Parliament for that purpose, at such rates as may be prescribed from time to time by the Minister of Finance, or at such other rates as may be fixed from time to time by Parliament.

Remuneration of rural constable. [45 of 1979].

17. If any constable—

- (a) refuses or neglects to obey any order lawfully given to him;
- (b) refuses or neglects to serve or execute any summons, warrant, or other process as hereinbefore mentioned; or
- (c) is guilty of any violation or neglect of duty not otherwise provided for in this Act,

Offences by constable.

he is liable, on summary conviction, to a fine of two hundred dollars or to imprisonment for two months.

RESIGNATION, ETC., OF CONSTABLE

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

- (a) if a rural constable, to the Superintendent of the division in which he resides; or
- (b) if an estate constable, to the employer.

Resignation of constable. [8 of 1955 29 of 1967].

However, the Commissioner may, in the case of a rural constable, if he thinks fit, refuse to accept the resignation for such period as he may consider necessary.

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

LAWS OF TRINIDAD AND TOBAGO

12

Chap. 15:02

Supplemental Police

Dismissal of constable. [8 of 1955 29 of 1967].

19. (1) The Commissioner 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 the constable.

Recommendation 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 the interdiction and the grounds thereof to the Commissioner.

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

(4) The Commissioner shall take the interdiction or recommendation, or both, into his consideration, and, after allowing the constable an opportunity of making his defence, communicate his decision to the Magistrate or Justice and to the constable.

Publication of notice of appointment and dismissal. [15 of 1950 8 of 1955 45 of 1979].

21. The Commissioner shall give due notice in the *Gazette* and in one daily newspaper published in Trinidad and Tobago of all appointments and dismissals of constables under this Act, and shall, in the month of January in each year, publish in the *Gazette* and in such newspaper a list of all the rural and estate constables appointed and acting, specifying the residences of the constables, the districts in which they reside and their rank.

Determination of employment of estate constable. [8 of 1955 29 of 1967].

22. When any estate constable ceases to be employed, the employer shall, within one week next after the determination of the employment of the constable, inform the Commissioner either directly or through the Superintendent of the division, and should the services of the constable have been dispensed with he shall inform the Commissioner of the reason for the action. Any employer who fails to report the determination of employment or reason for dispensing with the services of an estate constable is liable on summary conviction to a fine of two hundred dollars.

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 police officer in charge of the Police Station nearest to which he resides.

Delivery up of appointments by constable resigning, etc. [15 of 1950 45 of 1979].

(2) Any constable who contravenes this section is liable on summary conviction to a fine of two hundred dollars or to imprisonment for two months; and any Justice may 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.

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

Delivery up of appointments of deceased constable. [15 of 1950 45 of 1979].

(2) Any person who contravenes this section is liable on summary conviction to a fine of two hundred dollars, or to imprisonment for two months; and any Justice may 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.

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—

Bodily injury to constable. [8 of 1955 29 of 1967 45 of 1979].

- (a) if a rural constable, at the public expense on the written authority of any First Division Officer;
- (b) if an estate constable, at the expense of the employer.

Reward for apprehension of criminal. [51/1980].

26. If, on the trial of any case in the High 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 one hundred dollars, to the constable; and the reward shall be paid by the Comptroller of Accounts, on the certificate of the Judge, out of any moneys which may be provided by Parliament for the purpose.

Rewards to constables.

27. The Minister 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 Parliament for the purpose.

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

28. If any person has in his possession any badge, or baton, or other article furnished for the use of a constable, and does not satisfactorily account for his possession thereof; or if any person falsely answers the name of, or acts as, or personates, a constable, he is liable on summary conviction, in addition to any other punishment to which he has subjected himself, to a fine of four hundred dollars or to imprisonment for six months.

SPECIAL CONSTABLES

Appointment and powers of special constables. [16 of 1962 29 of 1967].

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, the Justice is hereby authorised to appoint, by precept under his hand, so many as he thinks fit of the persons under sixty years of age residing in the county or district to act as special constables for the preservation of the public peace and the protection of property, and notice of the appointment and of the circumstances which have rendered the appointment expedient shall be forthwith transmitted by the Justice to the Minister and to the Superintendent of the division.

Oath of special constable.

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

I, *A. B.*, do swear that I will well and truly serve the State 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 the State; 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.

(3) After their appointment, the special constables shall have all the powers, authorities, privileges, and immunities of members of the Police Service, 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 Police Service in the execution of his duty as such.

30. Every special constable shall, when called upon to do so, deliver over to such person and at such time and place as may be directed by any Superintendent of Police, every badge, staff, weapon, and other article provided for the special constable; and any special constable omitting or refusing to do so is liable on summary conviction to a fine of two hundred dollars or to imprisonment for fourteen days; and any Justice may 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.

Special constables to deliver up weapons, etc.

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

Command of special constables. [45 of 1979].

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 to do so by the Commissioner, the Deputy Commissioner or other First

Penalty on special constable refusing to act. [45 of 1979].

Division Officer, or any Justice, or who neglects or refuses to obey any lawful command is liable on summary conviction to a fine of two hundred dollars or to imprisonment for fourteen days.

Payment of special constables.

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

Badge, etc., of special constables. [45 of 1979].

34. The Commissioner may require any special constable to wear and use while on duty such distinctive badge and appointments as the Commissioner, under the direction of the Minister, from time to time supplies for this purpose. Any special constable who retires or is removed from his office shall forthwith return to the Commissioner or any police officer appointed by the Commissioner any badge or appointments supplied to him in accordance with this section. In case of any default the defaulter is liable on summary conviction on complaint by the Commissioner or any police officer, to be ordered to pay to the complainant the value of any article as to which default has been made, and further is liable to a fine of one hundred dollars, and also, if the Magistrate thinks fit, to imprisonment for fourteen days.

PROHIBITED ASSOCIATIONS

Definitions. [15 of 1950].

35. For the purposes of this Act a “prohibited association” means—

Ch. 88:02.

- (a) any Trade Union as defined by the Trade Unions Act, whether the Union is registered or incorporated or not;
- (b) any league or association or body of persons, whether registered or not, which has for its objects or one of its objects, the promotion of feelings of ill-will and hostility between different classes or races;
- (c) any other association, society or club, any of the objects of which may be subversive of

good discipline on the part of an estate constable, and which the Commissioner shall, with the approval of the Minister, declare to be a prohibited association.

36. (1) Except as hereinafter provided, an estate constable shall not be a member of a prohibited association.

Estate constables not to join prohibited associations.

(2) An estate constable shall not become a member of a prohibited association.

(3) If any estate constable becomes a member of a prohibited association, the estate constable, the association, and every officer of the association who is knowingly a party to the admission or enrolment of the estate constable is liable on summary conviction for each offence to a fine of one thousand dollars.

37. (1) Except as hereinafter provided, a prohibited association shall not permit any estate constable to receive any benefit, financial or otherwise, from the association or for any such association to receive any money from an estate constable.

Prohibition of estate constable receiving benefits from prohibited associations.

(2) If there is any contravention of the provisions of this section, the estate constable, the association, and every officer of the association who is knowingly a party to the contravention is liable on summary conviction for each offence to a fine of one thousand dollars.

38. (1) For the purpose of enabling constables of the Estate Police to consider, and, subject to subsection (2), bring to the notice of their employers matters which trade unions are competent to bring to the notice of employers of members of the unions, there shall be established an organisation to be called the Estate Police Association which shall act through Branch Boards, and a Central Committee as provided by rules made under this Act. The Estate Police Association shall have the sole right to make representations as in this subsection mentioned.

Constitution of Estate Police Association.

(2) No representations shall be made by the Estate Police Association in relation to any question of discipline, promotion or transfer affecting individuals.

(3) The Estate Police Association shall be entirely independent of and unassociated with anybody outside the Estate Police.

Estate Police
Association
Rules.
[8 of 1955].

39. (1) The Minister may make Rules for the constitution and governance of the Estate Police Association and as to any matter appertaining to the Association.

(2) The Estate Police Association Rules (formerly contained in a Schedule to this Act) shall be deemed to be made under subsection (1) and may be amended or revoked under that subsection.

(3) Rules made under this section may prescribe in respect of any contravention thereof a fine on summary conviction of two thousand dollars or imprisonment for six months.

Dispute
procedure.
[29 of 1967].

Ch. 88:01.

40. A dispute which arises among estate constables or between estate constables and an employer may, if not otherwise determined, be reported by the employer or by the Estate Police Association to the Minister of Labour and on the report being made, the proceedings on the dispute and all matters and things incidental and ancillary thereto shall be had and taken *mutatis mutandis* in the same manner as proceedings on a trade dispute under Part V of the Industrial Relations Act, and in applying the provisions of Part V of the said Act, there shall be substituted for the reference to “trade dispute” and “Court” wherever those words occur in Part V, a reference to “dispute” and “Special Tribunal” as defined in this Act.

Agreements.
[29 of 1967].

Ch. 88:01.

41. The Estate Police Association and an employer may enter into an agreement in respect of the terms and conditions of employment of its members, other than terms and conditions in respect of discipline, promotion or transfer, and the provisions of Part IV of the Industrial Relations Act, that relate to collective agreements shall apply to the agreement, but in applying those sections, there shall be substituted for the reference to—

(a) “trade union” or “trade union of workers”, a reference to the “Estate Police Association”;

- (b) “worker”, a reference to “constable”;
- (c) “collective agreement”, a reference to “agreement”;
- (d) “labour”, a reference to “employment”;
- (e) “Court”, a reference to “the Special Tribunal”,

as defined in this Act.

42. (1) The Special Tribunal shall hear and determine all disputes referred to it under the provisions of the Industrial Relations Act as incorporated in section 40 of this Act, and for that purpose shall have the powers of the Industrial Court that are vested therein by the Industrial Relations Act.

Powers of Special Tribunal. [29 of 1967]. Ch. 88:01.

(2) Any award, order or other determination of the Special Tribunal shall be final.

43. (1) An award made by the Special Tribunal under section 42 shall be binding on the parties to the dispute and on all constables to whom the award relates and shall continue to be so binding for a period to be specified in the award, not being less than three years from the date on which the award takes effect.

Awards to be binding on parties to dispute. [29 of 1967].

(2) The Special Tribunal may, with the agreement of the parties to an award, review an award at any time after two years from the making of the award.

44. If any person causes, or attempts to cause, or does any act calculated to cause disaffection amongst the members of the Estate Police or induces, or attempts to induce, or does any act calculated to induce any estate constable to withhold his services or to commit breaches of discipline he is liable on conviction on indictment to imprisonment for two years or on summary conviction to a fine of one thousand dollars and to imprisonment for three months.

Penalty on persons causing disaffection, etc.

45. Any estate constable who was on 13th April 1950, a member of a trade union may continue to subscribe to the union and to receive any financial benefits to which he was entitled by virtue of membership thereof, but save as aforesaid, he shall

Membership of trade unions by existing estate constables.

not take part in any of the activities of the union; and nothing contained in section 36 or 37 shall be construed so as to render the membership unlawful provided it is restricted in extent as in this section mentioned.

Right of individual estate constable to make representations. [29 of 1967].

46. Nothing in this Act shall be deemed to preclude any estate constable from making representations on his own behalf to his employer or the lawfully constituted attorney of his employer on any matter whatsoever; but he shall not have the right to make any representation in respect of any neglect or violation of duty dealt with by any member of the Police Service of or above the rank of Assistant Superintendent in accordance with the provisions of this Act or of any regulations made hereunder.

Section 10. [8 of 1955 29 of 1967].

SCHEDULE

FORM OF PRECEPT TO CONSTABLE

TRINIDAD AND TOBAGO:

The Supplemental Police Act.

To of

The Commissioner of Police, under and by virtue of the power and authority in him vested by the Supplemental Police Act, hereby appoints you to be a (Rural/Estate)* Constable, and issues to you this Precept authorising you to act as a (Rural/Estate)* Constable for the Division of Trinidad and Tobago.

(Signed)
for the Commissioner of Police.

*Delete what does not apply.

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

SUBSIDIARY LEGISLATION

SUPPLEMENTAL POLICE REGULATIONS

ARRANGEMENT OF REGULATIONS

REGULATION

1. Citation.
 2. Under orders.
 3. Persons to obey.
 4. Official pocket book.
 5. Person rural constable to report to.
 6. Badge.
 7. Reporting crime, etc.
 8. Arrest.
 9. Handcuffs.
 10. Person arrested.
 11. Government property.
 12. Training of rural constable.
 13. Offences.
 14. "Defaulter's offences" book.
 15. Promotion of rural and estate constables.
 16. Official police duty.
 17. Precept fees.
-

[Subsidiary]

74/1951.
[146/1951
45 of 1979
6 of 1993].

SUPPLEMENTAL POLICE REGULATIONS

made under section 12

Citation.

1. These Regulations may be cited as the Supplemental Police Regulations.

Under orders.
[45 of 1979].

2. Every rural and estate constable shall be directly under the orders of Magistrates and police officers of or above the rank of Corporal. Every estate constable shall also be under the orders of a senior member of the Estate Police.

Persons to obey.
[45 of 1979].

3. Every rural and estate constable shall obey all Magistrates, police officers of or above the rank of Corporal and any senior member of the Estate Police in matters of official duty.

Official pocket
book.

4. Every rural and estate constable shall record in the official pocket book which will be issued to him for the purpose—

- (a) any information or intelligence obtained by him in regard to the public tranquillity, the preservation of the peace, the commission of crime or other infringement of the law;
- (b) any report or complaint made to him in his capacity of constable;
- (c) a note of any act done by him in the execution of his duty as constable;
- (d) a note of any other matter whatsoever arising out of his duty as rural or estate constable.

Person rural
constable to
report to.
[45 of 1979].

5. (1) Every rural constable shall report himself regularly at intervals not exceeding one month at a time to the police officer in charge of the station to which he is attached.

- (2) The police officer shall on the report being made—
 - (a) check and initial the rural constable's pocket book;
 - (b) instruct him in the descriptions of any notorious offenders at large and ensure that the descriptions are briefly entered in the pocket book;

LAWS OF TRINIDAD AND TOBAGO

- (c) instruct him as regards any recent Act or regulations affecting police work;
- (d) examine him as to his knowledge of habitual criminals or known thieves residing in his district;
- (e) furnish him with a list of persons in his district against whom there are outstanding warrants or summonses.

6. The badge shall always be worn when the rural or estate constable is exercising his office; if it is necessary, for the purpose of detecting crime, that he should not be known, he may keep his badge in his pocket or otherwise hidden, but when the moment comes for him to use his power as a constable he shall show it. Badge.

7. Every rural and estate constable shall report as soon as possible to the police officer in charge of the station to which he is attached any serious crime or unusual event occurring in his district. Reporting crime, etc. [45 of 1979].

8. When an arrest is made by a rural or estate constable he shall forthwith take the person or persons arrested to the police station to which he is attached or to the nearest police station to lay the necessary information as may be directed by the police officer in charge. Arrest. [45 of 1979].

9. When persons are arrested, handcuffs shall never be used except in cases of necessity when a prisoner is violent and likely to attempt to escape or if the number of prisoners to be conveyed or the special circumstances render such a protection necessary. Females, lunatics and young children shall never be handcuffed. Handcuffs.

10. No promise or threat shall be made to any person arrested or any violence used to make him say anything; if he wishes to speak, the rural or estate constable in whose custody he is must caution him that anything he may say may be given in evidence. Person arrested.

LAWS OF TRINIDAD AND TOBAGO

24

Chap. 15:02

Supplemental Police

[Subsidiary]

Supplemental Police Regulations

Government
property.

11. Every rural or estate constable shall be responsible for any government property issued to him and shall, subject to the discretion of the Commissioner, pay for any loss or damage to same.

Training of rural
constable.

12. Every rural constable on appointment shall, unless specially exempted by the Commissioner, be attached for seven days for training at the Police Station of his district and shall be paid at such rate of pay per day as may be approved from time to time by the Minister.

Offences.
[45 of 1979].

13. Every member of the Supplemental Police charged with any of the following offences:

- (a) insubordination;
- (b) wilful disobedience of lawful orders;
- (c) drunkenness;
- (d) absence from duty without leave;
- (e) sleeping on duty;
- (f) any act, conduct, disorder, or neglect to the prejudice of good order or discipline or any other misconduct as a member of the Supplemental Police,

is liable—

- (g) on conviction before the Commissioner to one or more of the following punishments:
 - (i) fine not exceeding five dollars;
 - (ii) reduction in rank;
 - (iii) dismissal; or
- (h) if a member of the Rural Police on conviction before a police officer in charge of the division or district to one or more of the following punishments:
 - (i) fine not exceeding five dollars;
 - (ii) reprimand or severe reprimand; or
- (i) if a member of the Estate Police on conviction before the police officer in charge of the

division or district or before any senior police officer of the Estate Police, to one or more of the following punishments:

- (i) confinement to barracks for any number of days not exceeding twenty;
- (ii) punishment drill not exceeding fourteen days or up to six hours extra duty without pay but not exceeding one extra hour a day;
- (iii) fine not exceeding five dollars;
- (iv) reprimand or severe reprimand.

However, in any such case under paragraph (h) and (i) there shall be a right of appeal to the Commissioner of Police against any such punishment which shall not be carried into effect until the determination of the appeal.

14. All offences of which members of the Supplemental Police have been found guilty shall be entered in a “defaulter’s offences” book kept for this purpose.

“Defaulter’s offences” book.

15. Police officers in charge of divisions shall annually, when forwarding the promotion list of constables, forward at the same time a separate list of rural and estate constables recommended for promotion.

Promotion of rural and estate constables. [45 of 1979].

16. Whenever any rural or estate constable is engaged on any official police duty he shall be subject to the Police Service Act and any Police Regulations or Standing Orders in force governing the Police Service.

Official police duty. Ch. 15:01.

17. The appropriate fees payable in respect of a precept issued under section 10 of the Act are as follows:

Precept fees. [6 of 1993].

<i>Matter in which fee payable</i>	<i>Amount of fee</i>
	\$ ¢.
(a) the issue of a precept	100.00
(b) the re-issue of a lost precept	20.00

ESTATE POLICE ASSOCIATION RULES

ARRANGEMENT OF RULES

RULE

1. Citation.

PART I

ESTATE POLICE ASSOCIATION

2. Constitution of Association.
3. Branches of Association.
4. Branch Boards.
5. Composition of Branch Boards in general.
6. Right to vote.
7. Elections.
8. Delegates to Central Committee.
9. Representation by Branch Boards.
10. Representation by Central Committee.
11. Elections to be by ballot.
12. Elector to give only one vote to any candidate.
13. Branch Boards to make Regulations for elections.
14. Officers.
15. Chairman to have casting vote.
16. Power of Branch Boards and Central Committee to regulate own procedure.
17. Meetings.
18. Facilities for meetings.

PART II

19. Provisions for ensuing secrecy.
-

ESTATE POLICE ASSOCIATION RULES

deemed to be made under section 39

[15 of 1950.
8 of 1955
29 of 1967
45 of 1979].

1. These Rules may be cited as the Estate Police Association Rules. Citation.

PART I

ESTATE POLICE ASSOCIATION

2. Every constable for the time being of the Estate Police shall be eligible for membership of the Association, and the Association shall act through Branch Boards and a Central Committee as is hereinafter provided. Constitution of Association.

3. Estate constables employed on the same estate and estate constables employed by a protective service agency may form a Branch of the Association. Branches of Association. [8 of 1955 29 of 1967].

4. For each Branch of the Association formed under rule 3 there shall be constituted a Branch Board. Branch Boards.

5. (1) A Branch Board shall consist of five members. Composition of Branch Boards in general.
(2) If the members of a Branch number more than fifty, the members on the Branch Board shall be increased by one member for each twenty-five members of the Branch above fifty.

6. Every member of a Branch shall have the right to vote at the election of the Branch Board for his Branch. Right to vote.

7. The elections shall take place annually in the month of February and the annual meeting of all Branch Boards shall be held not later than 15th March. Elections.

8. The members of each Branch Board shall at the annual meeting elect from amongst their number two delegates to the Central Committee. Delegates to Central Committee.

LAWS OF TRINIDAD AND TOBAGO

28

Chap. 15:02

Supplemental Police

[Subsidiary]

Estate Police Association Rules

Representation
by Branch
Boards.

9. A Branch Board constituted for a Branch formed under rule 3 may submit to the employer of the members thereof or to all or any of the employers of the members thereof any competent representations so far as compatible with section 38 of the Act.

Representation
by Central
Committee.

10. The Central Committee may submit to all or any of the employers of members of the Association any competent representations so far as compatible with section 38 of the Act.

Elections to be
by ballot.

11. All elections shall be by secret ballot and the provisions for securing secrecy and freedom from interference in voting as set out in Part II of these Rules shall apply in respect of all elections under these Rules.

Elector to give
only one vote to
any candidate.

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

Branch Boards
to make
Regulations for
elections.

13. Subject to the provisions of these Rules, each Branch Board may make Regulations as to the mode of election of the members of the Board and of the delegates to the Central Committee returned by the Board, and as to the filling of casual vacancies occurring amongst such members and delegates except that in the case of the first elections, regulations as to the elections shall, subject as aforesaid, be made by the Minister.

Officers.

14. Each Branch Board and the Central Committee shall choose its Chairman and its Secretary from among its own members.

Chairman to
have casting
vote.

15. The Chairman at any meeting of a Branch Board or the Central Committee at which he is present shall have a second or casting vote.

Power of
Branch Boards
and Central
Committee to
regulate own
procedure.

16. Subject to the provisions of these Rules, every Branch Board or the Central Committee may regulate its own procedure, including the appointment of Committees or sub-Committees.

17. (1) Branch Boards may hold four regular quarterly meetings, including the annual meeting, and extraordinary meetings for any matter of urgency, any such meeting lasting not more than twenty-four hours. Meetings.

(2) The Central Committee may hold regular meetings twice in each year, and extraordinary meetings for any matter of urgency, any such meeting lasting not more than twenty-four hours.

18. (1) Except where, in special circumstances, a constable of the Estate Police is required for duty for which no substitute is available, permission shall be given by employers for attendance at all regular meetings of Branch Boards and of the Central Committee duly held and a constable of the Estate Police in attendance at any such meeting shall, as regards wages be deemed to be engaged on his employer's business; and no employer shall make any deduction from such wages or impose upon or exact from any estate constable any penalty by reason of his absence while attending any such meeting. Facilities for meetings.

Branch Boards and the Central Committee shall give to the employers of the estate constables concerned not less than fourteen days notice of each such regular meeting.

(2) Any employer who, directly or indirectly, refuses, or by intimidation, undue influence, or in any other way, interferes with the granting to any estate constable in his employ, of permission for attending any such regular meeting, is liable on summary conviction to a fine of two hundred dollars.

(3) In the case of extraordinary meetings of Branch Boards and of the Central Committee permission for attendance and grant of wages shall be a matter of mutual arrangement between the constable of the Estate Police attending and his employer.

PART II

19. (1) Every person in attendance at the polling station or other place of voting shall maintain and aid in maintaining the secrecy of the voting in such station or place, and shall not Provisions for ensuring secrecy.

Provisions for ensuring secrecy.

LAWS OF TRINIDAD AND TOBAGO

30

Chap. 15:02

Supplemental Police

[Subsidiary]

Estate Police Association Rules

communicate, except for some purpose authorised by Law, before the poll is closed, to any person any information as to the name or other means of identification of any elector who has or has not applied for a ballot paper or voted at that station or place, and no such person and no person whatsoever shall interfere with or attempt to interfere with a voter when marking his vote, or otherwise attempt to obtain in the polling station or other place of voting information as to the candidate for whom any voter in the station or place is about to vote or has voted, or communicate at any time to any person any information obtained in a polling station or other place of voting as to the candidate for whom any voter in such station or place is about to vote or has voted. Every person in attendance at the counting of the votes shall maintain and aid in maintaining the secrecy of the voting and shall not communicate any information obtained at the counting as to the candidate for whom any vote is given in any particular ballot paper. No person shall directly or indirectly induce any voter to display his ballot paper after he shall have marked the same so as to make known to any person the name of the candidate for or against whom he has so marked his vote.

(2) Every person who acts in contravention of the provisions of this rule is liable on summary conviction to a fine of two thousand dollars or to imprisonment for six months.

**SUPPLEMENTAL POLICE (GOVERNMENT MINISTRIES
ESTATE) ORDER** 101/1982.

made under section 2

1. This Order may be cited as the Supplemental Police Citation.
(Government Ministries Estate) Order.

2. All premises and property comprising Government Government
Ministries and Departments are hereby deemed to be one estate Ministries, etc.,
for the purposes of precepting estate constables. deemed to be
one estate.

**SUPPLEMENTAL POLICE (PUBLIC TRANSPORT
SERVICE CORPORATION ESTATE) ORDER** 57/1984.

made under section 2

1. This Order may be cited as the Supplemental Police Citation.
Transport Service Corporation Estate) Order.

2. All plantations, lands, warehouses, storehouses or business Property of the
premises vested in or occupied by the Public Transport Service Corporation deemed to be
Corporation are hereby deemed to be one estate for the purposes one estate.
of the Supplemental Police Act. Ch. 15:02.