

POLICE SERVICE ACT

CHAPTER 15:01

Act
7 of 2006
Amended by
13 of 2007

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For Resolution affirming the Police Service Regulations (LN 145/2007) *See* LN 111/2007.

Note on Omission

The Commissioner of Police (Extension of Service) Order (LN 251/2007) made under section 75(a) of the Act has been omitted.

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CHAPTER 15:01

POLICE SERVICE ACT

An Act to consolidate, amend and revise the law relating to the Police Service, to ensure efficient and transparent management of the Service and to provide that the principles of equity and meritocracy shall be applied at all times and for other related matters. 7 of 2006.

*[ASSENTED TO 13TH APRIL 2006]

PART I

PRELIMINARY

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

Short title.

2. This Act came into operation on 1st January 2007.

Commencement.
239/2007.

3. In this Act—

Interpretation.

“allowance” means compensation payable—

- (a) in respect of a grade or in respect of some office in a grade, by reason of duties of a special nature;
- (b) for duties that a police officer is required to perform in addition to the duties of his grade where those duties relate to an office in the same grade or a higher grade; or
- (c) for contingencies associated with the performance of his functions as a police officer and not taken into consideration in fixing his pay;

“appropriate recognised association” means an association recognised by the Minister of Finance under section 34 as the bargaining body for any rank of police officers;

*See section 2 for date of commencement.

“Board” means the Promotion Advisory Board established under section 18;

“classification” means the assignment of an office to a grade;

“cohabitant” means—

(a) in relation to a man, a woman who has been living with or has lived together with him in a *bona fide* domestic relationship for a period of not less than five years immediately preceding the date of his death; or

(b) in relation to a woman, a man who has been living with or has lived together with her in a *bona fide* domestic relationship for a period of not less than five years immediately preceding the date of her death,

but only one such relationship shall be taken into account for the purpose of this Act;

“Commission” means the Police Service Commission established under section 122(1) of the Constitution;

“Commissioner” or “Deputy Commissioner” means the person appointed to the office of the Commissioner of Police or Deputy Commissioner of Police respectively, in accordance with section 123(1)(a) of the Constitution;

“dispute” means any matter in respect of police officers upon which agreement has not been reached between the Personnel Department and the appropriate police association and which has been reported to the Minister under section 26 or 27;

Ch. 15:01. “former Act” means the Police Service Act repealed by this Act;

“grade” includes a range given in the classification of offices set out in the Third Schedule;

“intoxicating liquor” means spirits, wine or beer, or any liquor being a mixture, beverage or preparation containing the same;

“judicial officer” means a Judge, Magistrate or Justice;

“Minister” means the Minister to whom the responsibility for national security is assigned;

“office” means an office in the Police Service assigned to a grade;

“pay” means the rate of pay assigned to an office in a grade by a Remuneration Order, but does not include the allowances;

“pensionable emoluments” in respect of the Police Service, means pay and personal allowance;

“Personnel Department” means the Personnel Department established under the Civil Service Act;

Ch. 23:01.

“police officer” means a person who is appointed to perform the duties of an office in the Police Service;

“Police Service” means the Trinidad and Tobago Police Service established by section 4;

“prescribed” means as prescribed in the Regulations;

“Regulations” means the Regulations made under this Act;

“remuneration” means pay and allowances;

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

“spouse” includes a cohabitant;

“trainee” means a person who is undergoing initial training with a view to becoming a police officer.

PART II

ESTABLISHMENT AND STRUCTURE OF THE POLICE SERVICE

4. (1) The Trinidad and Tobago Police Service is hereby established and is constituted of the public offices set out in the Third Schedule, together with the offices of the Commissioner and Deputy Commissioner of Police mentioned in section 123(1) of the Constitution.

Establishment of the Police Service. [13 of 2007]. Third Schedule.

Ch. 1:01.

(2) Every person who immediately before the commencement of this Act held or was acting in an office in the Police Service constituted under the former Act shall, as from the commencement of this Act, continue to hold or act in the like office in the Police Service constituted under subsection (1), by whatever title called.

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(3) A reference to the Police Service or to any member thereof in any written law in force immediately before the commencement of this Act shall, as from the commencement of this Act, be read and construed as a reference to the Police Service constituted by this Act or to a member thereof.

President
authorised to
issue arms to
the Police
Service.

5. The President may issue arms and ammunition to the Police Service, and any member thereof may carry and use the same for lawful purposes.

Classification of
offices.
Third Schedule.

6. (1) The President may, by Order, amend the classification of offices set out in the Third Schedule.

(2) The classification of offices set out in the Third Schedule shall be the basis for any classification Order made under this section.

(3) The classification of offices set out in the Third Schedule shall be observed in all records and communications of the Commission, Commissioner, Auditor General, Treasury and in all departmental estimates and parliamentary returns and appropriations.

Divisions of the
Police Service.

7. (1) The Police Service shall consist of two Divisions, that is to say—

- (a) the First Division; and
- (b) the Second Division.

First Schedule.

(2) The First Division shall be the offices specified in the First Schedule and include such other offices as the President may, by Order, determine.

Second
Schedule.

(3) The Second Division shall be the offices specified in the Second Schedule and include such other offices as the President may, by Order, determine.

Remuneration
Order.

8. (1) The President may, by Order—

- (a) determine the pay in respect of an office in a grade;
- (b) establish the allowances that may be paid in addition to pay;

- (c) give effect to any agreement entered into between the Chief Personnel Officer on behalf of the Minister of Finance and the appropriate recognised association; and
- (d) give effect to an award made by the Special Tribunal.

(2) An Order made in respect of matters specified in subsection (1)(a) and (b) shall be referred to as a Remuneration Order.

9. Except where the contrary is provided in a Remuneration Order, increases of pay that may be granted in respect of an office in a grade in accordance with the Remuneration Order shall be annual, but no increase of pay shall be made in respect of an office in a grade in which the police officer performing the duties of the office has not completed a period of twelve months continuous duty in that office. Increment.

PART III

APPOINTMENT OF TRAINEES

10. A person seeking to be a trainee may apply to the Commissioner in the form and manner prescribed. Application to be trainee.

11. A person making an application under section 10 shall satisfy the requirements prescribed. Qualification for trainee.

12. (1) The Commissioner may appoint as a trainee a person applying under section 10, who satisfies the requirements prescribed. Appointment and control of trainee.

(2) Subject to the Regulations, a trainee shall be under the control of the Commissioner.

(3) Without prejudice to subsection (2), for the purpose of any law relating to the functions or vicarious liability of an employer, the Commissioner shall be treated as the employer of any trainee undergoing training with the Police Service.

(4) A trainee is not a worker as defined in the Industrial Relations Act. Ch. 88:01.

Dismissal of
trainee.

13. Where a trainee fails to complete successfully a course of training approved by the Commissioner or for any reason is otherwise considered unfit to be a member of the Police Service, the Commissioner may summarily terminate his status as a trainee.

Regulations for
trainee.

14. The Commissioner may make Regulations as to the management and conditions of service of a trainee.

Successful
trainee.

15. A trainee who successfully completes the approved course of training is eligible to be appointed as a constable on probation for the period prescribed.

PART IV

APPOINTMENT AND PROMOTION OF POLICE OFFICERS

Appointment on
promotion to
First and
Second
Divisions.
[13 of 2007].

16. (1) In the exercise of the powers vested in him by section 123A(2)(a) of the Constitution, the Commissioner shall take into account—

- (a) in the case of promotion to and within the First Division, the results of the promotional assessment process; or
- (b) in the case of promotion in the Second Division, the recommendations of the Promotion Advisory Board,

when he makes an appointment on promotion.

(2) A police officer shall not be considered for promotion to and within the First Division unless he has attained the prescribed points.

(3) The Commissioner shall ensure that the points attained by the officer are sent to the person mentioned in section 17A(1) prior to the commencement of the promotional assessment process.

Promotions to
and within the
First Division.
[13 of 2007].

17. Subject to section 16(2), promotions to and within the First Division shall be made by the Commissioner only on the basis of the results of a promotional assessment process.

17A. (1) Where there is a vacancy in the First Division, the Commissioner shall, in accordance with the procedure prescribed, cause to be contracted from time to time a person to design and implement a promotional assessment process in accordance with internationally accepted promotional assessment standards to determine the suitability for promotion of a police officer to and within the First Division.

Promotional
assessment
process.
[13 of 2007].

(2) The person shall conduct the promotional assessment process to determine the suitability for promotion to and within the First Division to the next higher rank of a police officer from the rank of Inspector through to Senior Superintendent and shall submit its results, taking into account the points attained by the officer under section 16(2), in the form of an Order of Merit List to the Commissioner in relation to his functions under section 123A(2)(a) of the Constitution.

(3) A police officer shall not be appointed to an office in the First Division if the Commissioner objects to the appointment of that officer to that office.

(4) Subject to section 16(2), to be eligible for promotion to the rank of Assistant Superintendent through to Assistant Commissioner, a police officer from the rank of Inspector through to Senior Superintendent shall be subject to the promotional assessment process by the person.

(5) For the purpose of assessing the suitability for promotion of a police officer to the rank of Assistant Superintendent through to Assistant Commissioner, the person shall take into account the criteria and procedure prescribed.

(6) For the purpose of this section, "person" includes a corporation whether aggregate or sole, and an unincorporated body of persons contracted by the Commissioner in furtherance of this section, but does not include an individual.

18. (1) For the purpose of conducting promotion in the Second Division, there is established a Promotion Advisory Board which shall comprise five members as follows:

Promotion
Advisory Board.
[13 of 2007].

(a) a Deputy Commissioner of Police, who shall be the chairman;

- (b) an Assistant Commissioner of Police;
- (c) the Director Human Resources of the Police Service;
- (d) a senior officer, who is not a police officer, from the Ministry of National Security, selected by the Minister; and
- (e) an independent management consultant, appointed by the Commissioner.

(2) The Commissioner shall engage a person who is not a police officer as Secretary to the Board.

(3) The appropriate recognised association may nominate a representative to be present as an observer at sittings of the Board.

(4) The Secretary to the Board shall keep a record of the ratings given to every police officer who appears before the Board.

Functions of the Board.
[13 of 2007].

19. (1) The Board shall sit as often as it thinks necessary, but at least once every three months, to consider promotions and notice of each sitting shall be given in a timely manner to the representative referred to in section 18(3).

(2) The Board shall make recommendations to the Commissioner in relation to his functions under section 123A(2)(a) of the Constitution.

(3) At the conclusion of each sitting of the Board, the Chairman shall submit to the Commissioner the Board's recommendations in the form of an Order of Merit List.

(4) The Commissioner may discuss with the Board any recommendation made under subsection (3).

(5) A police officer is entitled to apply to the Board to be informed in writing of his ratings.

(6) A sitting of the Board shall not be limited to one day.

20. (1) To be eligible for promotion to the rank of Corporal through to Inspector, a police officer from the rank of Constable through to Sergeant is required to pass a qualifying examination.

Promotion in
Second
Division.
[13 of 2007].

(2) In considering the suitability for promotion of a police officer from the rank of Constable through to Sergeant, the Board shall conduct an interview and take into account the criteria prescribed.

(3) In considering the suitability for promotion of a police officer from the rank of Constable through to Sergeant, the Commissioner shall take into account the criteria prescribed.

21. (1) A police officer on first appointment shall serve the prescribed period of probation.

Appointment or
promotion on
probation.
[13 of 2007].

(2) If at any time before the end of the probationary period of a constable, the Commissioner has reasonable grounds to believe that the interest of the Police Service will not be served by retaining the constable, the Commissioner may dismiss him in accordance with the procedure prescribed.

(3) A constable who successfully completes his period of probation and who satisfies all other prescribed requirements is eligible to be confirmed as a constable.

(4) A police officer who is promoted shall serve the prescribed period of probation.

22. (1) The Commission may, having regard to the qualifications, experience, skills and merit of a person who is not in the Service, appoint on contract such a person as a police officer to the rank of Commissioner or Deputy Commissioner for any specified period in accordance with the procedure prescribed under section 132(2) to (5) of the Constitution.

Contract
officers.
[13 of 2007].

(2) The Commissioner may, having regard to the qualifications, experience, skills and merit of a person who is not in the Service, appoint on contract such a person as a police officer for any specified period.

(3) The Commissioner may appoint on contract for any specified period and purpose a person who is not a police officer.

PART V

DISCIPLINE

Disciplinary powers.

23. (1) In the exercise of the powers vested in him by section 123A(2)(c) of the Constitution, the Commissioner shall comply with the procedures set out in the Regulations.

(2) An appeal shall lie to the Commission from any decision of the Commissioner, or of any person to whom the powers of the Commissioner have been delegated, as a result of disciplinary proceedings brought against a police officer appointed by the Commissioner.

PART VI

DUTIES OF THE PERSONNEL DEPARTMENT IN
RELATION TO THE POLICE SERVICE

Powers and duties.

24. (1) In addition to any duties or powers imposed or conferred by any other written law, the Personnel Department shall, in relation to the Police Service, carry out such duties as are imposed on it by this Act and without limiting the generality of the foregoing shall have the following duties:

- (a) to maintain the classification of the Police Service;
- (b) to keep under review the remuneration of police officers; and
- (c) to provide for and establish procedures for consultation and negotiation between the Department and the appropriate recognised association in respect of—
 - (i) the classification of offices;
 - (ii) any grievances; and
 - (iii) the terms and conditions of employment.

(2) The Minister of Finance may make recommendations with regard to the remuneration to be paid to police officers.

(3) The Minister of Finance shall, before making recommendations pursuant to subsection (2)—

- (a) consider the requirements of the Police Service;
- (b) take into account the rates of pay and other terms and conditions of employment prevailing in Trinidad and Tobago for similar work outside the Police Service and the relationship of the duties of the various grades within the Police Service; and

- (c) be guided by the considerations set out in section 20(2)(a) to (f) of the Industrial Relations Act. Ch. 88:01.

(4) Before making any recommendation under subsection (2), the Minister of Finance may require the Personnel Department to consult with representatives of the appropriate recognised association with respect to the matters specified in subsection (1).

25. Where the representatives of the appropriate recognised association request a consultation with respect to matters specified in section 24(1) or the Minister of Finance directs that such consultation is necessary and desirable, the Personnel Department shall consult with the representatives of such association in respect of those matters.

Consultation with appropriate recognised association.

26. Where the Personnel Department consults and negotiates with representatives of the appropriate recognised association with respect to matters specified in section 24 at the request of such representatives, the Personnel Department and the appropriate recognised association are, within twenty-one days of the commencement of such consultation and negotiation, or within such further period as may be agreed upon, unable to reach agreement on any matter, the Personnel Department or the appropriate recognised association shall report the matter on which no agreement has been reached to the Minister of Finance, and on such report being made a dispute is deemed to exist as to the matter.

Where no agreement reached after consultation.

Submission of proposals to appropriate recognised association for approval.

27. (1) Where the Personnel Department, before making proposals with respect to matters specified in section 24, does not consult with representatives of the appropriate recognised association, the Personnel Department shall submit the proposals to the appropriate recognised association for consideration and agreement.

(2) Where the Personnel Department and the appropriate recognised association are, within twenty-one days of the submission of the proposals as mentioned in subsection (1), or within such further period as may be agreed upon, unable to reach agreement on any matter, the Personnel Department or the appropriate recognised association shall report the matter on which no agreement has been reached to the Minister of Finance, and on such report being made a dispute is deemed to exist as to the matter.

Agreement to be recorded and signed.

28. (1) Where the Personnel Department and the appropriate recognised association reach agreement on any of the matters specified in section 24(1) after consultation and negotiation in accordance with section 26 or 27, the agreement shall be recorded in writing and shall be signed by the Chief Personnel Officer on behalf of the Minister of Finance and by a person designated by the appropriate recognised association on behalf of the association.

(2) An agreement recorded and signed in accordance with subsection (1) shall be binding upon the State and the police officers to whom the agreement relates.

Personnel Department subject to Minister of Finance under this Part. Ch. 23:01.

29. Notwithstanding section 13(1) of the Civil Service Act, in the exercise of its duties and functions under sections 24, 25, 26, 27 and 28 of this Act, the Personnel Department shall be subject to the directions of the Minister of Finance.

Dispute to be referred to Special Tribunal.

30. (1) Where a dispute is deemed to exist under section 26 or 27, the Minister of Finance shall refer the dispute for settlement to the Special Tribunal within twenty-one days from the date on which the dispute was reported to him.

(2) Where the Minister fails to refer the dispute to the Special Tribunal within the time specified in subsection (1), the appropriate recognised association that is a party to the dispute

may do so within twenty-one days from the date of the expiration of the time specified in subsection (1).

(3) For the purpose of this Act, the parties to a dispute shall be the Chief Personnel Officer and the appropriate recognised association.

31. (1) The Special Tribunal shall hear and determine any dispute referred to it under section 30 and shall make an award on the dispute. Special Tribunal power of award.

(2) An award made by the Special Tribunal shall be final.

(3) In addition to taking into account any submission, argument and evidence presented or tendered by or on behalf of the appropriate recognised association and the Chief Personnel Officer, the Special Tribunal in its judgment shall be guided by the considerations set out in section 20(2)(a) to (f) of the Industrial Relations Act. Ch. 88:01.

32. (1) An award made by the Special Tribunal under section 31 shall be binding on the parties to the dispute and all police officers to whom the award relates and shall continue to be binding for a period to be specified in the award, but not less than five years from the date upon which the award takes effect. Award to be binding on parties for fixed period.

(2) The Special Tribunal may, with the agreement of the parties to an award, review such award at any time after the third anniversary of the making of such award.

PART VII

POLICE SERVICE ASSOCIATIONS

33. A police officer shall not be a member of any trade union, or any body or association registered under the Trade Unions Act. Prohibition against membership of trade union. Ch. 88:02.

34. Police officers may form associations, and such associations shall, subject to this Act, be recognised by the Minister of Finance as appropriate associations for consultation and negotiation in respect of any of the matters specified in section 24 and any other matters concerning police officers. Representation of police officers.

Regulations governing recognition.

35. The President may make Regulations setting out the conditions to be satisfied and the procedure to be adopted for the recognition by the Minister of Finance of associations formed pursuant to section 34.

Appropriate recognised association to make rules.

36. (1) Every appropriate recognised association shall make rules providing for the administration of the association and for carrying out the objects of the association, and with respect to such rules the following provisions shall have effect:

Fourth Schedule.

- (a) the rules shall contain provisions in respect of the several matters mentioned in the Fourth Schedule; and
- (b) a copy of the rules and any amendment shall be delivered by the association to every police officer who is a member of that association on demand and on payment of the prescribed sum.

(2) The rules, including any amendment to such rules, of an association shall be filed with the Registrar General and have effect from the date on which they are filed unless some later date is specified from which they shall have effect.

Complaints by members of appropriate recognised association.

37. (1) On any complaint in writing signed by not less than fifty financial members of an association representing police officers in the Second Division or, in the case of an association representing police officers in the First Division, not less than five financial members, respecting the rules or business of the association, the Registrar General shall inquire into the complaint and may either dismiss it or if, after giving the complainants and the association an opportunity of being heard, he finds the complaint to be justified may either—

- (a) so declare, but make no order under this subsection; or
- (b) make an order specifying the steps which the association must take to remove the cause for complaint.

(2) The Registrar General shall furnish to the appropriate recognised association a written statement, with reasons, for any decision which he gives under this section.

(3) A decision made by the Registrar General shall be binding on the association and failure to comply with such a decision shall render the association liable to withdrawal of recognition by the Minister of Finance.

(4) The Registrar General may order—

- (a) the association to pay the complainant a specified sum out of the funds of the association; or
- (b) a complainant to pay to the association a specified sum,

in respect of the costs incurred by the complainant or the association, as the case may be, and such sum shall be recoverable summarily as a civil debt.

(5) In this section, “complainant” means a financial member who signs the complaint.

38. On the commencement of this Act, the police associations established under the former Act shall continue under this Act as if they were established under this Act. Recognised police associations.

PART VIII

GENERAL FUNCTIONS AND OBLIGATIONS OF MEMBERS OF THE POLICE SERVICE

39. A police officer shall not be debarred from voting at any election if, under the laws governing the said election, he has the right to vote. Police officer voting.

40. A police officer is disqualified from membership of the Senate, the House of Representatives, the Tobago House of Assembly, or a Municipal Corporation. Police officer and political activities.

41. (1) Subject to this section, a police officer shall not— Public statements by police officer on certain matters.

- (a) in any public place or in any document or any other medium of communication, whether within Trinidad and Tobago or not, publish any

information or express any opinion on matters of national security interest or national or international political controversy;

Ch. 2:01.

Ch. 25:03.

(b) be a scrutineer under the Representation of the People Act or the Tobago House of Assembly Act or an election agent or an assistant to an election agent of a Parliamentary, Tobago House of Assembly, or Municipal candidate.

(2) Subsection (1)(a) shall not apply where—

(a) a police officer is acting in the execution of his official duties;

(b) the information or opinion is published in the course of a lecture or address, the subject matter of which is approved by the Commissioner, made or given at any educational institution in the *bona fide* pursuit of the professional activity of the police officer; or

(c) the information or opinion is expressed in an article or other literary contribution, the subject matter of which is approved by the Commissioner, to a journal or other periodical or document prepared in the *bona fide* pursuit of the professional activity of the police officer.

(3) In this section, “publish” means to communicate the information or opinion to any other person whether orally or in writing and includes the broadcasting of words and pictures by wireless telegraphy or any other means; and in relation to any writing means exhibiting in public or causing to be read or seen or showing or delivering or causing to be shown or delivered in order that the writing may be read or seen by any person.

Certain police officers to be Justices.

42. (1) Every police officer of the First Division and every Inspector shall *ex officio* be a Justice of the Peace for Trinidad and Tobago, and shall take the oath of such a Justice.

(2) A police officer who is a Justice of the Peace shall at all times act ministerially for the purposes of the preservation of the peace, the prevention of crime and the detection and committal of offenders, and for carrying out the other objects of this Act, but he shall not in any way act as a judicial officer, either in any Court or in any other manner, except when specially appointed so to act.

43. Every police officer shall have all such rights, powers, authority, privileges and immunities, and is liable to all such duties and responsibilities, as any constable duly appointed now has or is subject or liable to, or may have or be subject or liable to under any written or unwritten law.

Every police officer to be a constable.

44. Where in any written law power is conferred upon a police officer of a certain grade, such power may lawfully be exercised by a police officer of a higher grade.

General power of police officer.

45. A police officer—

- (a) shall preserve the peace and detect crime and other breaches of the law;
- (b) may arrest, charge and bring before a summary Court a person found committing any offence rendering him liable to arrest without warrant, or whom he reasonably suspects of having committed any such offence;
- (c) may summon before a summary Court a person whom he reasonably suspects of committing an offence;
- (d) may prosecute a person who commits any offence;
- (e) shall serve and execute at any time, including Sundays, all process which he may be directed to serve or execute;
- (f) shall keep order in and within the precincts and in the vicinity of all Courts during all sittings of such Courts;

General duties of police officer.

- (g) shall repress internal disturbances; and
- (h) shall generally do and perform all the duties appertaining to the office of a constable.

Power to arrest without a warrant.

46. (1) A police officer may arrest without a warrant—

- (a) a person who is charged by another person with committing an aggravated assault in any case in which such police officer believes upon reasonable ground that such assault has been committed although not within his view, and that by reason of the recent commission of the offence a warrant could not have been obtained for the apprehension of the offender;
- (b) a person who commits a breach of the peace in his presence;
- (c) a person who obstructs a police officer while in the execution of his duty, or who has escaped or attempts to escape from lawful custody;
- (d) a person in whose possession anything is found which may reasonably be suspected to have been stolen or who may reasonably be suspected of having committed an offence with reference to such thing;
- (e) a person whom he finds lying or loitering in any public or private place or building and who does not give a satisfactory account of himself;
- (f) a person whom he finds in any public or private place or building and whom he suspects upon reasonable grounds of having committed or being about to commit an offence; or
- (g) a person found having in his possession without lawful excuse any implement of housebreaking.

(2) Without prejudice to the powers conferred upon a police officer by subsection (1), a police officer, and all persons whom he may call to his assistance, may arrest without a warrant a person who within view of such police officer commits an

offence and whose name or residence is unknown to such police officer and cannot be ascertained by him.

47. Where a warrant has been issued in respect of a person charged with an offence, a police officer shall, notwithstanding that the warrant is not in his possession, arrest the person charged with the offence, but the warrant shall, on the demand of the person arrested, be shown to him as soon as practicable after his arrest.

Power to arrest without having warrant in possession.

48. When a warrant or order of a Magistrate or Justice is delivered to a constable, he shall, if the time will permit, deliver the same to the police officer under whose immediate command he is, and such officer shall direct one or more of the police officers under his command and such assistant as he thinks proper to execute such warrant or order, and every such warrant or order may be executed by any constable.

Execution of warrant or order.

49. (1) When an action is brought against a police officer for an act done in obedience to a warrant or order of a Magistrate or Justice, the officer shall not be responsible for any irregularity in the issuing of the warrant or order or for any want of jurisdiction in the Magistrate or Justice issuing it.

Action against police officer for acting on warrant or order.

(2) In any action brought under subsection (1), the Court shall give judgment for the officer if he fulfils the following conditions:

- (a) he gives the warrant or order in evidence;
- (b) he proves that the Magistrate or Justice signed the warrant or order; and
- (c) he proves that the act complained of was done in obedience to the warrant or order.

50. (1) A police officer may take and record for the purpose of identification the measurement, photograph or fingerprint impression of a person who is in lawful custody but if such measurement, photograph or fingerprint impression is taken of a person who has not previously been convicted of a criminal

Power to take measurement, photograph or fingerprint. [13 of 2007].

offence, and such person is discharged or acquitted by a Court, all records relating to such measurement, photograph or fingerprint impression shall be kept by the Commissioner.

(2) A person who refuses to submit to the taking and recording of his measurement, photograph or fingerprint impression shall be taken before a Magistrate who, on being satisfied that such person is in lawful custody, shall make an order as he thinks fit authorising the officer to take the measurement, photograph or fingerprint impression of such person.

(3) The data derived from the analysis of the fingerprint impression taken from the person under subsections (1) and (2) shall not be destroyed, and the Commissioner shall cause that data to be transferred to a national data base created by written law.

Certificate of character.
[13 of 2007].

51. (1) A person who applies to the Police Service for a certificate of character shall pay the prescribed fee to the police officer in charge of the police station at which the application is made and give a fingerprint impression.

(2) The data derived from the analysis of the fingerprint impression given by the person under subsection (1) shall not be destroyed, and the Commissioner shall cause that data to be transferred to a national data base created by written law.

Analysis of fingerprint impression.
[13 of 2007].

52. (1) A person who applies to the Police Service for an analysis of a fingerprint impression affixed to a document shall pay the prescribed fee to the police officer in charge of the police station at which the application is made.

(2) The Police Service shall destroy the certificate of analysis of the fingerprint impression where the person, who made the application for the analysis under subsection (1), fails to collect the certificate after six months from the date of the analysis and a record of the destruction shall be kept in a separate register maintained by the Commissioner for that purpose.

(3) Notwithstanding any law to the contrary and without prejudice to subsection (2), the data derived from the analysis of the fingerprint impression mentioned in subsection (1) shall not be destroyed, and the Commissioner shall cause that data to be transferred to a national data base created by written law.

53. (1) A police officer who—

Punishment for serious offence.

- (a) begins, raises, abets, countenances or incites a mutiny, or terrorist act or causes or joins in any sedition amongst the members of the Police Service; or
- (b) knows of any actual or intended mutiny, rebellion, insurrection or terrorist act and does not without delay give information thereof to a police officer senior in rank,

commits an offence and is liable on conviction on indictment to imprisonment for ten years.

(2) A police officer who—

- (a) being present at any assemblage tending to riot, does not use his utmost endeavours to suppress the same;
- (b) assaults a judicial officer or police officer senior in rank;
- (c) draws or lifts, or offers to draw or lift, any weapon or offers any violence against any such judicial officer or police officer senior in rank;
- (d) wilfully permits the escape of a prisoner;
- (e) uses unnecessary violence to or ill-treats any prisoner;
- (f) pawns, sells, makes away with, abandons or wilfully spoils or damages his arms, accoutrements, clothing or any public property, or
- (g) fails to take action in a case where a serious offence has been committed or where he has witnessed a serious offence,

is liable on summary conviction to a fine of thirty thousand dollars and to imprisonment for five years.

Public property
not to be used
privately.

54. Unless he is specially authorised to do so by the Regulations, no police officer is entitled to keep or use for his private benefit any article that has been supplied to him at the public expense, but he shall hold every such article at the order and disposal of the State.

Delivery up of
article supplied
on leaving the
Police Service.

55. (1) A police officer who is dismissed from the Police Service, or resigns his office, or otherwise leaves the Police Service, shall forthwith deliver over to the person authorised by the Regulations or appointed for that purpose every article which has been supplied to him at the public expense and which he has not been expressly authorised to keep or use for his private benefit.

(2) A police officer who contravenes this section is liable on summary conviction to a fine of ten thousand dollars and to imprisonment for two years.

(3) A Magistrate or Justice may issue a warrant to search for and seize any article mentioned in subsection (1) which is not so delivered, wherever it may be found.

Improper
possession of
article supplied
to police officer.

56. A person who has in his possession any article which has been supplied at the public expense to a police officer, and which the police officer has not been expressly authorised to keep or use for his private benefit, and who does not satisfactorily account for its possession commits an offence, and may be arrested without warrant by any police officer and is liable on summary conviction to a fine of ten thousand dollars and to imprisonment for two years.

Delivery up of
article supplied
to deceased
police officer.

57. (1) When a police officer dies, the person in whose custody, control or possession is any article which has been supplied at the public expense to such police officer for the execution of his office, shall, after due notice by any police officer, deliver up to the person appointed for that purpose any such article.

(2) Subsection (1) does not apply to any article that the officer has been expressly authorised to keep for his private benefit.

(3) A person who contravenes subsection (1) is liable on summary conviction to a fine of five thousand dollars and to imprisonment for one year.

(4) A Magistrate or Justice may issue a warrant to search for and seize any article mentioned in subsection (1) which is not so delivered over, wherever the same may be found.

58. (1) Where any property has come into the possession of the Police Service in connection with any criminal charge or under section 29 of the Pawnbrokers Act, a summary Court may, on application either by a police officer or by a claimant of the property, make an order for the delivery of the property to the person appearing to the Court to be the owner of it or, if the owner cannot be ascertained, make such order with respect to the property as the Court thinks fit.

Unclaimed
article.

Ch. 84:05.

(2) An order under this section shall not affect the right of any person to take within six months from the date of the order legal proceedings against any person in possession of property delivered by virtue of the order for the recovery of the property, but on the expiration of those six months the right shall cease.

(3) Where property has come into the possession of the Police Service—

- (a) under subsection (1); or
- (b) in respect of which the owner cannot be ascertained and no order has been made with respect to it by a Court,

it shall be dealt with as follows:

- (i) if the property is a perishable article, or its custody involves unreasonable expense or inconvenience, it may be sold as soon as convenient after it has come into the possession of the Police Service;
- (ii) if the property consists of money, it shall be dealt with as provided in this section

with regard to the proceeds of a sale after it has remained in the possession of the Police Service for three months; or

- (iii) in the case of any other property the same may be publicly sold at auction as soon as possible after it has remained in the possession of the Police Service for three months and has been advertised in two local daily newspapers for three consecutive days.

(4) The proceeds of the sale shall, after deduction of expenses, be paid immediately to the Comptroller of Accounts who shall deposit it to the credit of the Award Fund.

(5) Where property has been found by a person, other than a police officer, and no provision is made for it to be dealt with by law and it has not been claimed by the real owner it may be delivered to the finder on his claiming it, but such delivery to the finder shall not be made until it has remained in the possession of the Police Service for three months.

(6) Where property found under subsection (5) is of such a nature that it necessitates an immediate sale, it shall be sold immediately and the proceeds of the sale shall be deposited with the Comptroller of Accounts who shall credit it to the Award Fund.

(7) Where the owner of the proceeds mentioned in subsection (6) have not claimed it after three months, it may be delivered, less any expenses, to the finder on his claiming it.

(8) In all cases in which property deposited with the Police Service or the proceeds thereof is delivered to the finder, he may be required to execute a bond of indemnity to the Police Service in respect of the delivery.

Assault, etc., on
police officer.

59. A person who assaults, obstructs, or resists a police officer in the execution of his duty, or aids or incites another person so to assault, obstruct, or resist a police officer or a person

assisting the police officer in the execution of his duty, is liable on summary conviction to a fine of ten thousand dollars and to imprisonment for two years.

60. If a person is called upon to assist a police officer who is, while in the execution of his duty, assaulted or resisted or in danger of being assaulted or resisted, and such person refuses or neglects to assist accordingly without reasonable cause, he is liable on summary conviction to a fine of ten thousand dollars and to imprisonment for one year.

Refusing to assist police officer assaulted.

61. (1) A person who—

- (a) knowingly harbours or entertains or, either directly or indirectly, sells or gives any intoxicating liquor to a police officer who is on duty;
- (b) knowingly permits a police officer to remain in his house, except in case of extreme urgency, when on duty; or
- (c) by threats or by offer of money, gift, intoxicating liquor or any other thing, induces or endeavours to induce a police officer to commit a breach of his duty,

Harbouring police officer.

is liable on summary conviction to a fine of fifteen thousand dollars and to imprisonment for one year.

(2) If a person, who is the owner or occupier of premises licensed under the Liquor Licences Act or is employed in connection with the business of any such premises, is convicted under this section, the record of the proceedings shall be forwarded to the licensing committee which granted the licence, and the owner or occupier is, in addition to any other penalty under this section, liable to have his licence forfeited or suspended by that licensing committee.

Ch. 84:10.

(3) On the trial of a complaint in respect of an offence under this section, if the other facts constituting the

offence are established, it shall not be necessary to prove knowledge or intention, but the onus of disproving it shall lie upon the defendant.

Impersonation of police officer or wearing police uniform, etc.

62. A person, other than a police officer, who without the written authority of the Commissioner—

- (a) puts on or assumes, either in whole or in part, the uniform, name, designation or description of a police officer, or a uniform, name, or designation, resembling and intended to resemble the uniform, name or designation of a police officer; or
- (b) in any way pretends to be a police officer for any purpose which he would not by law be entitled to do of his own authority,

is liable on summary conviction to a fine of thirty thousand dollars and to imprisonment for three years.

Obtaining admission into the Police Service by fraud.

63. (1) A person who, for the purpose of obtaining admission into the Police Service, knowingly—

- (a) uses or attempts to pass off a forged or false certificate, letter or other document; or
- (b) makes a false answer to a question which is put to him by a police officer,

is liable on summary conviction to a fine of ten thousand dollars and to imprisonment for one year.

(2) A police officer may arrest without warrant a person whom he reasonably believes has committed an offence under this section.

Right to prosecute police cases. [13 of 2007].

64. Where a police officer lays an information or makes a complaint against a person, any police officer of or above the rank of sergeant or who has obtained a Bachelor of Laws Degree from an institution recognised by the Accreditation Council of Trinidad and Tobago, may appear before the Magistrate or Justice

who is trying or enquiring into the matter of the information or complaint, and shall have the same privileges as to addressing the Magistrate or Justice, and as to examining the witnesses adduced in the matter, as the police officer who laid the information or made the complaint would have had.

65. The Award Fund continued under the former Act shall continue to be kept by the Commissioner and administered in accordance with this Act, and shall be appropriated to the payment of such—

- (a) gratuities and awards as the Commissioner may direct to be paid to a police officer;
- (b) compassionate gratuities to the spouse and children of a police officer as, in exceptional circumstances, the Commissioner may allow;
- (c) compassionate gratuities to any person dependent on a deceased police officer, other than his spouse and children as, in exceptional circumstances, the Commissioner may allow;
- (d) award as, under section 67, a Judge of the High Court or Magistrate may grant to a police officer;
- (e) special compensation as the Commissioner may award to a police officer for injuries he sustained in the performance of his function; or
- (f) sums as may become payable to finders of property sold under section 58.

66. (1) The Awards Board (herein referred to as “the Board”) established under the former Act shall continue under this Act as if it is established under this Act.

(2) The Board shall meet at least once in every quarter to consider and recommend awards in accordance with section 65.

Award Fund.

Awards Board.

(3) The appropriate recognised association is entitled to submit recommendations for awards to the Commissioner who shall transmit them to the Board for its consideration.

Granting of special award.

67. If, during the trial of a criminal case, the Judge or Magistrate before whom the case is being tried is of the opinion that a police officer has distinguished himself in apprehending or detecting and bringing to justice the perpetrator or abettor of any crime, the Judge or Magistrate is entitled to grant an award, not exceeding five hundred dollars, to the police officer; and such an award shall be paid on the certificate of the Judge or Magistrate.

Fines and bribes to be payable to the Fund.

68. (1) All fines or penalties imposed upon a police officer under this Act shall be retained from his pay by the deduction of no more than half the amount which may be due to him on any day of payment until the whole be paid, and shall be paid to the credit of the Award Fund.

(2) A bribe or gift of money coming into the possession of a police officer or the value of any goods given as a bribe to a police officer shall be paid to the credit of the Award Fund.

Account to be kept.

69. (1) The Commissioner shall—

- (a) keep an account of all moneys paid into and disbursed from the Award Fund;
- (b) submit to the Auditor General at the end of each month a statement showing all receipts and disbursements;
- (c) state in the statement the reasons and authority for each disbursement; and
- (d) deposit all moneys received for the credit of the Award Fund as soon as practicable in a financial institution, approved by the Minister.

(2) When the sum standing to the credit of the Award Fund exceeds fifty thousand dollars the Commissioner shall decide to what purpose the surplus shall be put.

PART IX

MISCELLANEOUS PROVISIONS

70. (1) Notwithstanding any written law to the contrary, the Canteen steward of a police Canteen and the secretary of a Mess Committee may sell intoxicating liquor to police officers and honorary members in any such Canteen or Mess without having previously obtained a licence for that purpose.

Sale of liquor in Canteens and Messes.

(2) The Canteen and Mess Committee shall make rules in regard to the hours during which a Canteen or Mess shall be kept open for the sale of intoxicating liquor and for the proper management and control of Canteens and Messes.

(3) A police Canteen or Mess shall be managed by a Canteen or Mess Committee respectively, which shall consist of the Deputy Commissioner, Administration, as Chairman, and such other members as may be determined by the Chairman and the appropriate recognised association.

71. (1) Every police station is deemed to be a lock-up in which a person charged with an offence may be temporarily confined.

Police station to be lock-up.

(2) In every police station there shall be provided a secure place of confinement.

72. A police officer shall, on his first appointment, take and subscribe the oath or affirmation of office and secrecy set out in the Fifth Schedule.

Police officer to take oath of office.

Fifth Schedule.

72A. The Commissioner shall cause the fingerprint impression of every member of the Police Service to be taken and analysed, and the data derived from that analysis shall be kept in a database established and maintained by the Commissioner who shall cause that data to be transferred to a national database created by written law.

Fingerprint database. [13 of 2007].

Mode of
leaving service.

73. A police officer may leave the Police Service only by the modes prescribed.

Age of
retirement for
police officer.

74. (1) A police officer in the Second Division shall retire from the Police Service on his attaining the age of fifty-five years but may, with the approval of the Commissioner, be permitted to retire on his attaining the age of fifty years.

(2) A police officer in the First Division shall retire from the Police Service on his attaining the age of sixty years, but may —

(a) at his option; or

(b) at the instance of the Commissioner,

retire from the Police Service at any time after he has attained the age of fifty-five years.

(3) Subject to subsection (2), a police officer in the First Division who has attained the age of fifty years may, with the approval of the Commissioner, be permitted to retire from the Police Service at anytime after he has attained that age.

(4) The functions of the Commissioner under subsections (2) and (3) shall, in relation to the Commissioner and a Deputy Commissioner, be performed by the Commission.

Extension of
service.

75. Notwithstanding section 74 and any other written law —

(a) the President may in relation to a police officer in the First Division; or

(b) the Commissioner may in relation to a police officer in the Second Division,

where he considers it in the national interest, extend the years of service of the police officer after he has reached the prescribed age of retirement, for a period of one year in the first instance and thereafter, subject to an annual review, for a maximum of two further periods of one year each.

76. When a police officer dies the Minister shall order that three months salary of the officer, from the date of his death, shall be paid to his spouse, children or other next of kin.

Grant of three months salary to next of kin of deceased police officer.

77. (1) On the death of a police officer to whom any sum of money may then be due on account of salary or pension chargeable on the revenue of the State, the Minister may, by Order, on being satisfied of the expediency in such case of dispensing with the production of a grant of probate or letters of administration, cause such sum to be paid to a person he considers entitled to it, without requiring the production of the grant of probate or letters of administration.

Payment of arrears of salary or pension without production of probate or letters of administration.

(2) A payment made under subsection (1) is valid against any person and a person acting under this section is absolutely discharged from all liability in respect of any money paid to him under this section.

78. (1) The President may make Regulations, subject to the affirmative resolution of the House of Representatives, to give effect to the purpose of this Act, and in particular for the following matters:

Regulations. [13 of 2007].

- (a) for prescribing classifications for offices in the Police Service, including qualifications, duties and remuneration;
- (b) for prescribing the procedure for appointments from within the Police Service;
- (c) for prescribing periods of probation;
- (d) for prescribing the procedure for the recovery of any penalty from a police officer;
- (e) for regulating the hours of attendance of police officers and the keeping and signing of records of attendance or for prescribing other methods of recording attendance;
- (f) for regulating the duties to be performed by police officers;
- (g) for regulating the granting of leave to police officers;

- (h) for prescribing arrangements and procedures for providing, assisting in or co-ordinating staff development programmes;
- (i) the appointment, training and discipline of the police officers;
- (j) the description and issue of arms, ammunition, accoutrements, uniform and necessaries to be supplied to the Police Service;
- (k) for prescribing the procedures for pensions, gratuities and injury allowance to be granted in respect of the services of police officers;
- (l) for prescribing and providing for the use of powers under this Act;
- (m) for regulating generally the terms and conditions of employment, including temporary employment and employment on contract;
- (n) promotion, secondment, transfer and removal from office; and
- (o) generally, for the good order and management of the Police Service.

Ch. 15:03. (2) The President may make Regulations for the exemption of a constable appointed under the Special Reserve Police Act from the qualification requirement for appointment as an officer in the Second Division.

Savings. **79.** (1) All legal or disciplinary proceedings pending, under the former Act prior to the coming into force of this Act shall continue as if this Act had not been passed.

(2) All decisions made or issued or in force or all things done under the former Act prior to the coming into force of this Act shall continue to have full force and effect as if commenced, made, issued or done under this Act.

Repeal of Act
No. 30 of 1965.

80. The Police Service Act is repealed.

FIRST SCHEDULE

Section 7(2).

**OFFICES IN THE FIRST DIVISION OF
THE POLICE SERVICE**

Commissioner
Deputy Commissioner
Assistant Commissioner
Senior Superintendent
Superintendent
Assistant Superintendent

SECOND SCHEDULE

Section 7(3).

**OFFICES IN THE SECOND DIVISION OF
THE POLICE SERVICE**

Inspector
Sergeant
Corporal
Constable

THIRD SCHEDULE

Section 4(1), 6.

**CLASSIFICATION OF OFFICES IN
THE POLICE SERVICE**

<i>Old Title of Post</i>	<i>New Title of Post</i>	<i>Effective Date</i>
	GRADE 1	
Police Band Apprentice	Police Band Apprentice	1.10.03
	GRADE 2	
Police Bandsman I	Police Bandsman I	1.10.03
Police Constable	Police Constable	1.10.03

L.R.O. 1/2009

**CLASSIFICATION OF OFFICES IN
THE POLICE SERVICE—Continued**

<i>Old Title of Post</i>	<i>New Title of Post</i>	<i>Effective Date</i>
GRADE 3		
Police Bandsman II	Police Bandsman II	1.10.03
Police Corporal	Police Corporal	1.10.03
GRADE 4		
Police Bandsman III	Police Bandsman III	1.10.03
Police Sergeant	Police Sergeant	1.10.03
GRADE 5		
Assistant Director of Police Band	Assistant Director of Police Band	1.10.03
Police Inspector	Police Inspector	1.10.03
GRADE 6		
Deputy Director of Police Band	Deputy Director of Police Band	1.10.03
Assistant Superintendent of Police	Assistant Superintendent of Police	1.10.03
GRADE 7		
Director of Police Band	Director of Police Band	1.10.03
Superintendent of Police	Superintendent of Police	1.10.03
GRADE 8		
Senior Superintendent of Police	Senior Superintendent of Police	1.10.03
GRADE 9		
Assistant Commissioner of Police	Assistant Commissioner of Police	1.10.03

FOURTH SCHEDULE

Section 36(1).

**MATTERS TO BE INCLUDED IN RULES OF
A POLICE ASSOCIATION**

1. The name of the Association and the place of meeting for its business.
2. The objects for which the Association is to be established, the purposes for which its funds shall be applicable, and the conditions under which any member may become entitled to any benefit assured thereby, and the fines and forfeitures to be imposed on any member of the Association.
3. The manner of making, altering, amending and rescinding rules.
4. A provision for the appointment and removal of a general committee of management, of a trustee, treasurer and other officers.
5. A provision for the investment of the funds, and for an annual or periodical audit of accounts.
6. The inspecting of the books and names of members of the Association by every person having an interest in its funds.
7. The manner of dissolution.
8. The protection of voting rights of members of the Association and the general conduct of elections.
9. The powers, duties and functions of the Executive Committee of the Association.
10. Method to resolve disputes between the members of the Association and the members of the Executive Committee.
11. Prohibition against admission to membership with respect to a police officer who is a member of an appropriate recognised association.

Section 72.

FIFTH SCHEDULE

OATH*/AFFIRMATION* OF OFFICE AND SECRECY

I, do swear*/do solemnly and sincerely affirm* that I will well and truly serve Trinidad and Tobago in the office of without favour or affection, malice or ill will, and that I will cause the peace to be kept and preserved in Trinidad and Tobago, and that I will prevent, to the utmost of my power, all offences against the same; and that while I shall 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 and will not, without due authority in that behalf, in any manner whatsoever publish or communicate any facts or information being facts or expressions of opinion based on such facts that come to my knowledge by reason of my being the holder of such office. So help me God.†

* delete whichever is inapplicable.

† delete in case of affirmation.

SUBSIDIARY LEGISLATION

POLICE SERVICE REGULATIONS

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145/2007.

POLICE SERVICE REGULATIONS*made under section 78*Citation and
Commencement.

1. (1) These Regulations may be cited as the Police Service Regulations.

146/2007.

(2) These Regulations came into operation on 6th August 2007.

Interpretation.

2. In these Regulations—

“acting appointment” means the temporary appointment of an officer to act in a higher office, whether that office is vacant or not;

“appointment” means the appointment of a person to an office;

“cohabitant” means—

(a) in relation to a man, a woman who has been living with or who has lived together with him in a *bona fide* domestic relationship for a period of not less than five years immediately preceding the date of his death;

(b) in relation to a woman, a man who has been living with or who has lived together with her in a *bona fide* domestic relationship for a period of not less than five years immediately preceding the date of her death,

but only one such relationship shall be taken into account for the purpose of these Regulations;

“cohabitational relationship” means the relationship between cohabitants, who not being married to each other, have lived together in a *bona fide* domestic relationship for a period of not less than five years immediately preceding the death of either cohabitant;

“Commission” means the Police Service Commission established under section 122(1) of the Constitution;

“Commissioner” means the Commissioner of Police;

- “dangerous drugs” has the meaning assigned to it by section 3 of the Dangerous Drugs Act; Ch. 11:25.
- “disciplinary tribunal” means a disciplinary tribunal appointed by the Commissioner under regulation 155;
- “family” means an officer’s spouse and children, including adopted children, his mother, father, brothers and sisters who are living with and are solely dependent on him;
- “forensic DNA analysis” has the same meaning assigned to it under section 4 of the Deoxyribonucleic Acid (DNA) (Forensic) Act; Ch. 5:34.
- “Medical Board” means a board for the medical examination of an officer, which is appointed by the Commissioner of Police;
- “Minister” means the Minister to whom responsibility for national security is assigned;
- “non-intimate sample” has the same meaning assigned to it under section 4 of the Deoxyribonucleic Acid (DNA) (Forensic) Act.
- “officer” means a police officer, other than the Commissioner of Police or a Deputy Commissioner of Police;
- “officer in the First Division” means a police officer who holds an office specified in the First Schedule of the Act;
- “officer in the Second Division” means a police officer who holds an office specified in the Second Schedule of the Act;
- “pensionable emoluments”, in respect of service in the Service, means pay and personal allowance;
- “Police Division” or “Division” means a Division determined by the Minister under regulation 35(1);
- “prescribed form” or “appropriate form” means such form as may be prescribed by the Commissioner;
- “Service” means the Police Service established under section 4(1) of the Act;
- “spouse” includes a cohabitant;

“trainee” means a person who is undergoing training with a view to becoming an officer;

“transfer” means the movement of an officer from a Division or Branch to another Division or Branch, or from a Police Station to another.

PART I

RECRUITMENT AND APPOINTMENT

Qualification for appointment as trainee.

3. (1) A candidate for appointment as a trainee shall, subject to regulation 4—

- (a) be a citizen of Trinidad and Tobago;
- (b) be required to pass a medical examination conducted by a Government Medical Officer nominated for the purpose;
- (c) be required to undergo a polygraph test, psychological test and be tested for dangerous drugs at the cost of the Service;
- (d) be of good character as evidenced by a police certificate of character;
- (e) be not less than eighteen years and not more than thirty-five years of age on the 1st January of the year in which the appointment is made;
- (f) in the case of—
 - (i) a male, be of good physique and at least one hundred and sixty-seven centimetres in height; or
 - (ii) a female, be of good physique and at least one hundred and fifty centimetres in height;
- (g) possess passes in five subjects in the CXC Examinations, including English Language, at General Proficiency at Grade I, II, or III or at Basic Proficiency at Grade I in all five subjects, or five G.C.E. O’ Level passes, including English, at Grade A, B or C in all five subjects,

- or produce proof of having reached an equivalent or higher standard of education;
- (h) possess a Trinidad and Tobago driver's permit with a class 3 endorsement to drive light motor vehicles;
 - (i) be required to pass a physical examination and an agility test; and
 - (j) be required to pass a written examination.

(2) A candidate who fulfils the requirements of subregulation (1) may be enrolled as a trainee and shall be required, if so enrolled, to submit a non-intimate sample for forensic DNA analysis and to undergo a course of training at the Police Academy.

4. (1) A person seeking to be a trainee shall complete an application in the form set out in Appendix A and submit it to the officer in charge of the Police Station nearest to which the applicant resides.

Recruitment
procedure for
trainee.
Appendix A.

(2) Application forms for recruitment shall be made available at every Police Station.

(3) An application made under this Part shall be valid for one year.

(4) The officer in charge of the Police Station shall ensure that—

- (a) each applicant is fingerprinted and traced;
- (b) the necessary inquiries are made to determine the correctness of the particulars of the application and the suitability of each applicant; and
- (c) a report of the inquiries is prepared.

(5) The officer in charge of the Police Station shall submit the application form together with a report of the inquiry as required under subregulation (4) to the officer or person in charge of the Police Academy, who shall be the Recruiting Officer.

(6) The Recruiting Officer shall review all the applications and select those applicants who have met the requirements under regulation 3(1), except the requirements under subregulation (1)(c).

(7) The applicants who are selected under subregulation (6) shall be interviewed by a panel appointed by the Commissioner.

(8) The panel under subregulation (7) shall comprise of the following five members:

- (a) the Recruiting Officer, who shall be the Chairman;
- (b) a person appointed by the Commissioner from the Police Academy;
- (c) a police social worker;
- (d) the Director Human Resource of the Police Service; and
- (e) a representative from the recognised Police Service Association.

(9) The applicants who are assessed to be most suitable by the panel shall undergo a polygraph test, a psychological test and be tested for dangerous drugs at the cost of the Service.

Qualification for appointment as Band Apprentice.

5. A candidate for appointment as a Band Apprentice shall, subject to regulation 6—

- (a) be a citizen of Trinidad and Tobago;
- (b) be of good character as evidenced by a police certificate of character;
- (c) be not less than sixteen years and not more than thirty years of age on the 1st January of the year in which the appointment is made;
- (d) possess a School Leaving Certificate or produce proof of having reached an equivalent or higher standard of education or be required to pass an educational test to be set by the Commissioner; and

(e) be required to pass a medical examination conducted by a Government Medical Officer nominated for the purpose.

6. (1) A person seeking to be a Band Apprentice shall complete an application in the form set out in Appendix A with such modifications as are applicable and submit it to the Director of the Police Band.

Recruitment
procedure for
Band
Apprentice.
Appendix A.

(2) Application forms for recruitment as a Band Apprentice shall be made available at every Police Station.

(3) An application made under this Part shall be valid for one year.

(4) An applicant who fulfils the requirements of regulation 5 shall be required to pass a musical test conducted by the Director of the Police Band.

(5) The officer in charge of the Police Station nearest to which the applicant resides shall, upon notice by the Director of the Police Band, ensure that—

- (a) each applicant is fingerprinted and traced;
- (b) the necessary inquiries are made within a reasonable time to ensure the correctness of the particulars of the application and the suitability of each applicant; and
- (c) a report of the inquiries is prepared.

(6) The officer in charge of the Police Station shall submit the report of the inquiry as required under subregulation (5)(c) to the officer or person in charge of the Police Academy.

(7) The officer or person in charge of the Police Academy shall review all the applications, and select those applicants he considers most suitable.

(8) The applicants who are selected shall be interviewed by a panel appointed by the Commissioner of which Director of the Police Band shall be a member.

(9) An applicant who is assessed as suitable at the interview by the panel shall undergo a polygraph test, a psychological test and be tested for dangerous drugs at the cost of the Service.

Appointment and discharge of Band Apprentice.

7. (1) A candidate who fulfils the requirements of regulations 5 and 6 may be enrolled as a Band Apprentice.

(2) The Commissioner shall determine the course and period of training for a Band Apprentice and his appointment as a Bandsman after consultation with the Director of the Police Band based upon an assessment of the conduct, discipline, musical ability and application of such Band Apprentice.

(3) No Band Apprentice shall be appointed a Bandsman before he has attained the age of eighteen years.

(4) A Band Apprentice who fails to satisfy the requirements of the course of training, or is otherwise not considered fit to be a member of the Service, may be discharged summarily by the Commissioner.

Service number and name tag.

8. (1) An officer on first appointment shall be given a service number, which he shall retain throughout his service, and when such an officer leaves the Service the service number issued to him shall not be reissued.

(2) An officer on first appointment shall be issued a name tag.

(3) An officer below the rank of Inspector shall wear his service number and name tag on such part of his uniform as may be designated by the Commissioner.

(4) An officer of the rank of or above Inspector shall wear his name tag and badge of rank on such part of his uniform as may be designated by the Commissioner.

Appointment to the First Division.

9. (1) A candidate for appointment to the First Division may be selected from among—

- (a) officers in the Second Division;
- (b) persons outside of the Police Service.

(2) An officer in the Second Division who is suitable for appointment on the grounds of—

- (a) experience, skills and merit; or
- (b) having obtained a Bachelor Degree or produce proof of having reached an equivalent or higher standard of education from an institution recognised by the Accreditation Council of Trinidad and Tobago,

is eligible for appointment to the First Division.

(3) A person who is appointed under subregulation (1) is required to undergo an appropriate course of training in police duties, but the Commissioner may exempt from such training a person appointed under subregulation (1)(a).

(4) A candidate referred to in subregulation (1)(b) shall possess the qualification specified in regulation 3(1), other than those specified in subregulations (g) and (j), and a Bachelor's Degree, or produce proof of having reached an equivalent or higher standard of education from an institution recognised by the Accreditation Council of Trinidad and Tobago.

10. (1) An officer's date of appointment shall normally be the date on which he assumes the duties of the office to which he has been appointed. Date of appointment.

(2) If an officer is selected for appointment from outside Trinidad and Tobago, the date of appointment shall be the date specified in the letter of appointment.

PART II

PROBATION AND PROMOTION

11. The probationary period of a constable on first appointment shall be a period of two years. Probation of constable.

Principles applicable to constable on probation.

12. The following principles shall be observed in respect of a constable during his probationary period:

- (a) the constable shall be given every opportunity to learn his work and be tested as to his ability to perform it;
- (b) he shall be accorded all possible facilities for acquiring experience in his duties; and
- (c) he shall be subject to sympathetic supervision so far as the exigencies of the Service permit and be assigned to duty where such supervision is possible.

Probationary assessment of constable on first appointment. Appendix B.

13. In the case of a constable on probation, the senior officer exercising control over that constable shall furnish to the Commissioner two assessments in accordance with the form set out in Appendix B—

- (a) a first assessment after the constable has completed one year of service, not later than one month after the twelfth month; and
- (b) a final assessment not earlier than six weeks nor later than two weeks before the period of probation expires.

Dismissal of constable on probation.

14. (1) A constable who is on probation may, at any time during the period of probation, be dismissed by the Commissioner in accordance with the procedure prescribed in this regulation.

(2) When the Commissioner decides to dismiss a constable under subregulation (1), the Commissioner shall, prior to the decision, give a written notice to the constable specifying the reason and any relevant facts in detail for the contemplated decision, and request the constable to respond in writing within fourteen days of the date of the notice why he ought not to be dismissed.

(3) When the constable responds in writing, the Commissioner shall consider the response and may conduct a hearing before making his decision and the hearing shall be conducted in accordance with the procedure set out in regulations 160(2) to 166.

(4) When the constable fails to respond in writing, the Commissioner shall make his decision and immediately in writing inform the constable of the decision.

15. (1) All examinations in relation to the Second Division shall be set and the papers marked by such Examination Board as may be appointed for that purpose by the Commissioner.

Examination Board.

(2) The Commissioner shall be responsible for the conduct of examinations set under subregulation (1).

16. (1) An officer of the rank of Constable through to Sergeant may apply on the prescribed form to the Commissioner to be allowed to take the qualifying examination for promotion to the next rank.

Qualifying examination.

(2) An officer who is successful in the qualifying examination may be considered for promotion in accordance with regulation 20.

17. A constable shall not be considered for promotion unless he has three years in the Service.

Constable eligible for promotion after three years of service.

18. Where the Commissioner considers that there is no suitable candidate already in the Service available for the filling of any vacancy having regard to qualifications, experience and merit and that it would be advantageous and in the best interest of the Service that the services of a person not already in the Service be secured, the Commissioner shall advertise such vacancy.

Advertisement of vacancy.

19. (1) The Commissioner shall publish a Departmental Order specifying the points system to be followed by a supervising officer in the preparation of a performance appraisal report.

Principles of selection for promotion to and within the First Division.

(2) The points awarded to a police officer based on his performance appraisal report shall represent twenty-five per cent and the results of the promotional assessment process shall represent seventy-five per cent of his final grade as stated in the Order of Merit List mentioned in subregulation (9).

(3) A police officer shall not be considered for promotion to and within the First Division unless he has attained sixty or more points on his performance appraisal report.

(4) The promotional assessment process shall be conducted by the person contracted, who shall appoint such number of panels, comprising not less than three persons each, as the person considers necessary, and the members of each panel shall possess appropriate skills, expertise and qualification in policing and particularly to the rank under consideration.

(5) The promotional assessment process shall comprise of two stages as follows:

- (a) stage one shall require every qualifying officer to write a qualifying examination, from which only the top performing candidates as determined by the person shall proceed to stage two; and
- (b) stage two shall be a suitability assessment process.

(6) To assess the competencies of an officer relevant to the position for which he is being considered, the suitability assessment process may include, *inter alia*, role play, exercises dealing with hypothetical situations, and other appropriate methods of assessment that are consistent with contemporary professional standards and needs of policing.

(7) The person shall establish the competencies before conducting the suitability assessment process and such competencies shall be given in writing to each qualifying candidate at least one week before the suitability assessment process is conducted.

(8) The competencies, which may comprise core or technical competencies, may include matters such as leadership, communication, initiative, decision making, problem solving, customer relations, integrity, and organisational awareness.

(9) Subject to subregulation (2), every officer considered for promotion shall be rated according to the results of the promotional assessment process specified in this regulation together with the points awarded to him based on his performance appraisal report and be placed on an Order of Merit List.

(10) The person shall, as soon as the promotional assessment process is completed, submit the Order of Merit List to the Commissioner, who shall immediately cause it to be published in a Departmental Order.

(11) Subject to subregulation (12), an Order of Merit List shall be valid for a period of twelve months from the date of its publication under subregulation (10).

(12) The Commissioner may extend the validity of the Order of Merit List before its expiration for a period not exceeding one year.

(13) An officer who is not promoted during the twelve-month period or such other period as ordered by the Commissioner under subregulation (12) is required, to repeat the promotional assessment process.

(14) Where the officer mentioned in subregulation (13) successfully completes the promotional assessment process for three consecutive times and is not promoted, he shall be paid a qualifying allowance as from the date of the third occasion on which his name is placed on the Order of Merit List, and regulation 65(3), (4) and (5) shall apply to him as it applies to an officer under regulation 65.

20. (1) Subject to subregulation (2), the Promotion Advisory Board shall interview—

- (a) an officer who has passed the qualifying examination for promotion and is recommended for promotion by the officer in charge of his Division or Branch;

Principles of selection for promotion to and within the Second Division.

(b) an officer who was allocated fifty or more points at the previous interview; and

(c) an officer who is eligible under subregulation (3).

(2) An officer shall not be interviewed by the Board unless he has been allocated forty or more points by the Board based on the criteria, other than the interview, listed in subregulation (5).

(3) Subject to subregulation (2), an officer who is allocated less than sixty points is eligible to be interviewed at the next sitting of the Board.

(4) Every officer considered for promotion shall be rated according to the criteria specified in subregulation (5) and each officer who is allocated sixty or more points shall be placed on an Order of Merit List.

(5) The criteria mentioned in subregulation (4) shall be as follows:

	<i>Maximum Points</i>
Performance appraisal	40
Interview	25
Examination mark	35

(6) The Board shall submit the Order of Merit List to the Commissioner, who shall cause it to be published in a Departmental Order.

Probation on promotion.

21. (1) An officer who is promoted to an office shall serve a probationary period of twelve months in the office to which he is promoted.

(2) Where an officer is promoted to an office in which he has performed the duties, whether in an acting or temporary capacity, for a period of equal or longer duration than the prescribed period of probation, immediately preceding the promotion, the officer shall not be required to serve the probationary period.

(3) Where an officer is promoted to an office in which immediately preceding the promotion he has acted for a period less than twelve months, the period of acting service shall be offset against the prescribed period of probation.

(4) Where an officer is promoted before he has completed the period of probation in his former office, the unserved portion of that period of probation shall be waived and the officer is deemed to have been confirmed in that appointment.

22. In the case of an officer serving a twelve-month period of probation, the senior officer in charge of that officer shall furnish to the Commissioner a performance appraisal report one month before the period of probation expires.

Performance appraisal report.

23. If, after consideration of the final report of the senior officer, the Commissioner is satisfied that the officer's probationary service has been satisfactory, he shall be confirmed in his appointment with effect from the date of appointment.

Confirmation of appointment.

24. If the Commissioner is not satisfied that the officer's probationary service has been satisfactory, the period of probation may be extended for one further period of six months.

Extension of probation.

25. Where an officer's period of probation has been extended and he is subsequently confirmed in his appointment, the Commissioner may direct that the officer's increment be paid—

Incremental date where period of probation extended.

- (a) with effect from the date following that on which the extended period of probation expired without change in the incremental date; or
- (b) with effect from the date following that on which the extended period of probation expired, that date would then become his incremental date.

LAWS OF TRINIDAD AND TOBAGO

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Chap. 15:01

Police Service

[Subsidiary]

Police Service Regulations

Commissioner
to keep record.

26. The Commissioner shall keep a record of every officer who has been appointed on probation.

PART III

SECONDMENT

Secondment.

27. (1) An officer who is seconded to an office in the Public Service shall be paid the salary applicable to that office and is eligible for any increments payable to the holder of that office.

(2) The remuneration of an officer on secondment to an office out of the Service shall be paid by the receiving Ministry, public body or authority.

(3) During the period of secondment of an officer out of the Service, the officer shall continue to hold his substantive office in the Service and, notwithstanding his absence from the Service, is eligible for promotion.

(4) The period of service of an officer while on secondment shall be taken into account when calculating his pension where the secondment is to an office in another service of the Government or where the receiving public body or authority makes the appropriate arrangement for the preservation of the officer's pensionable service.

(5) An officer on secondment to an office in the Service is eligible for the leave applicable to that office and while on such leave he is entitled to be paid the salary payable to the holder of that office.

(6) An officer who has completed a period of secondment outside of the Service and who returns to the Service shall revert to the point in the salary scale in respect of his substantive office which he would have reached if he had not been seconded.

(7) A period of secondment shall not exceed two years.

PART IV

**RESIGNATION, RETIREMENT AND TERMINATION OF
APPOINTMENT**

28. (1) An officer who intends to resign shall send by registered mail or deliver a written notice of his intention to resign to the office of the Commissioner at least one month before the date on which he wishes to relinquish his appointment, but the Commissioner may waive the requirement of notice in whole or in part if he thinks fit.

(2) Notwithstanding regulation 82, an officer who fails without reasonable cause to comply with subregulation (1) may forfeit all leave and the benefits and privileges accruing to him in respect of leave.

(3) An officer is not entitled, except with the permission of the Commissioner, to withdraw his notice of resignation.

29. (1) An officer who is absent from duty without leave for seven consecutive days, during which time he has failed to notify his senior officer of the cause of his absence, may be declared by the Commissioner to have abandoned his office, whether he holds a permanent, temporary, or contractual appointment, and thereupon the office becomes vacant and the officer ceases to be an officer.

(2) When an officer abandons his office under subregulation (1), regulation 28(2) shall apply to him and he shall be considered to be discredibly discharged.

30. Subject to regulations 28, 29, 31, 32 and 33(2), the services of an officer may be terminated for the following reasons:

- (a) where he holds a permanent appointment—
- (i) on dismissal in consequence of disciplinary proceedings;
 - (ii) on the abolition of office;

Reasons for termination of appointment.

- (b) where he holds a temporary appointment—
- (i) on the expiry or other termination of an appointment for a specified period;
 - (ii) where the office itself is of a temporary nature and is no longer necessary;
 - (iii) on the termination of appointment in the case of an officer on probation;
 - (iv) on the termination of appointment in the case of an officer holding a non-pensionable office with no service in a pensionable office;
 - (v) on dismissal or removal in consequence of disciplinary proceedings;
- (c) where he is on contract, his services shall be terminated in accordance with the terms of the contract;
- (d) whether he holds a permanent, temporary or contractual appointment, where he is convicted for a criminal offence which carries a penalty of six or more months of imprisonment.

Retirement in the public interest.

31. (1) Where it is represented to the Commissioner that it is in the public interest that an officer should be required to retire from the Service on grounds which cannot suitably be dealt with under any of these Regulations, the Commissioner shall call for a report on the officer from his supervising officer and shall take into account the officer's record during the preceding five years or, where the officer has less than five years service, his record during his period of service.

(2) If after considering the report and record mentioned in subregulation (1) and giving the officer an opportunity of submitting a reply, the Commissioner is satisfied that it is in the public interest to retire the officer, the officer shall be required to retire on such date as the Commissioner shall determine, and he shall be retired accordingly.

(3) Where an officer is examined by a Medical Board on two or more occasions and is found fit for service but continues to be absent from duty on the ground of ill health for a cumulative period of six months during a single twelve-month period, he shall be considered for retirement in the public interest, subject to a comprehensive review of his performance by the Commissioner and after giving the officer an opportunity to be heard.

32. (1) The Commissioner may terminate the appointment of an officer on grounds of reported inefficiency and having regard to the officer's job performance and, where applicable, his performance appraisal reports.

Termination of appointment on grounds of inefficiency.

(2) Where the senior officer in charge of an officer makes a recommendation in writing to the Commissioner that the appointment of the officer should be terminated on grounds of inefficiency, the officer shall be informed in writing by the senior officer of such recommendation and be given an opportunity to make representation thereon to the Commissioner.

(3) Where the officer makes representation under subregulation (2), the representation shall be forwarded in its original form to the Commissioner.

(4) The Commissioner may, upon receipt of the recommendation under subregulation (2), cause an investigation to be made before making a final decision.

33. (1) A Medical Board shall be appointed whenever it is necessary for an officer to be examined with a view to ascertaining whether he should be retired on grounds of ill health.

Medical Board.

(2) An officer may be required by the Commissioner to undergo a medical examination by a Medical Board at any time.

(3) An officer who is required to undergo a medical examination shall submit himself to be examined by a Medical Board at such time and place as the Commissioner may direct.

(4) Where a Medical Board is convened in accordance with subregulation (1), the Commissioner shall make available to the Board the medical record of the officer, and any further relevant information that would assist the Board with its findings.

(5) Where an officer, through refusal or neglect to obtain specialist advice or to obtain treatment when so recommended by the Medical Board, falls sick and in consequence is unable to perform his duties, the Commissioner may direct that the period during which he is unable to perform his duties shall be counted as leave without pay.

Unit Officer.

34. (1) An officer who is medically boarded and found unfit for further service shall not be allowed to remain on duty, and shall be granted such vacation leave and accumulated vacation leave for which he is eligible or two months' leave, whichever is the greater, as from the date on which he is notified of his unfitness for further duty.

(2) Upon the expiration of the leave referred to in subregulation (1), the services of the officer shall be terminated, with such benefits that may have accrued to him.

PART V

POLICE DIVISION, DISTRICT, STATION, ETC.

Police Division,
District, Station,
etc.

35. (1) For the purpose of the Act and these Regulations, there shall be such Divisions and Branches as may be determined by the Minister.

(2) Each Division shall be sub-divided into Police Districts and there shall be one or more Police Stations in each District as approved by the Minister.

(3) The Commissioner shall publish the boundaries of Police Divisions and Police Districts in the *Gazette*.

(4) The Commissioner may establish such Administrative or Operational Units in the Service as approved by the Minister.

36. The Commissioner may assign any number of officers for duty to Divisions, Branches, Stations or other Administrative or Operational Units, as he considers necessary for the efficient functioning of the Service.

Assignment of officers to Districts, etc.

37. (1) The Minister may assign, for the use of the Service, such buildings as may be provided or made available for that purpose, and may make such further provision for the accommodation, training and hospitalisation of officers as may be necessary.

Building for use of Police Service.

(2) The Minister of Health shall approve a building or other accommodation mentioned in subregulation (1).

PART VI

SALARIES, INCREMENTS, ADVANCES, AND ALLOWANCES

SALARIES

38. A trainee shall receive an allowance, to be called a trainee allowance, at a rate approved by the Minister of Finance.

Allowance for trainee.

39. The salary of an officer on first appointment shall be computed from the date of his assumption of duties as an officer.

Salary of officer on first appointment.

40. On promotion, an officer shall receive the salary attached to the office to which he is promoted from the effective date of his promotion or from the date he assumes the duties of the office as may be specified in his letter of promotion.

Salary on promotion.

41. (1) Salaries shall be paid to officers on the day immediately preceding the last business day of the month, but if the last business day falls on a Monday, salary shall be paid on the preceding Friday or the day preceding that day if Friday is a public holiday.

Date of payment of salary.

(2) Notwithstanding subregulation (1), the Minister of Finance may vary the date on which salaries shall be paid in any month.

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(3) An officer who is proceeding on vacation leave on a date prior to the normal date on which salaries are to be paid for that month, and who will be on leave on the appointed pay day, may be paid his salary for that particular month in advance of the normal pay day, if arrangements cannot otherwise conveniently be made for payment of his salary in accordance with subregulation (1) or (2).

(4) Subregulation (3) shall apply only in respect of the first month of the officer's vacation leave.

Reversion to substantive office.

42. When an officer reverts to his substantive office on the termination of his acting appointment he shall be paid the salary in his substantive office, which he would have received, had he not been given an acting appointment in a higher office.

Deductions from salary.

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

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

(3) Notwithstanding subregulation (1), the Commissioner may—

- (a) deduct from the salary of an officer all fines and penalties imposed as a result of disciplinary action taken in accordance with these Regulations;
- (b) deduct from the salary of an officer all overpayments of salary in accordance with any written law and may make such other deductions as are approved by the Minister of Finance towards the reduction or repayment of outstanding debts due to the State.

INCREMENTS

44. (1) Where an officer is promoted his salary shall be adjusted as follows: Principles of conversion.

- (a) where the salary which the officer was receiving in the lower office immediately prior to promotion was less than the minimum salary of the higher office, then the officer shall on promotion be paid the minimum salary of the higher office; but if the additional amount due to the officer is less than the value of one increment in the salary range of the lower office, he shall move up to the next higher point in the salary range;
- (b) where the salary which the officer was receiving in the lower office immediately prior to promotion was the same as the minimum salary of the higher office, then the officer's salary on promotion shall be adjusted to the next incremental point in the salary range of the higher office;
- (c) where the salary which the officer was receiving in the lower office immediately prior to promotion was more than the minimum salary of the higher office, then the officer's salary on promotion shall first be adjusted to the incremental point in the higher salary range immediately above his salary and then be further adjusted to the next incremental point in the higher salary range.

(2) After conversion in accordance with subregulation (1), the officer's salary shall be further adjusted to the next point in the salary range of the office to which he has been promoted on the date on which his next increment would have become due to him in the post from which he was promoted, and subsequent increments shall accrue to him on the anniversary of that date.

LAWS OF TRINIDAD AND TOBAGO

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Police Service

[Subsidiary]

Police Service Regulations

(3) When an officer is promoted on the date on which he was due an increment in the office from which he was promoted he shall first be granted an increment on that date and then his salary shall be adjusted in accordance with subregulation (1), and in such a case the officer shall retain the date of his promotion as his incremental date.

Additional provision as to conversion.

45. Where an officer has been acting in a higher office immediately before his appointment to that office or to an office in the same salary range as that office, he shall convert to the higher salary range in the same manner as is provided in regulation 44(1).

Payment of increment.

46. (1) Subject to subregulation (2), where an officer holds an office that has a salary range, increments shall be paid to such officer, on the completion of each year of satisfactory service until he has reached the maximum of the salary range, and the increments paid shall be in the amounts prescribed for the particular office.

(2) Increments shall be earned, and a year of service shall be taken to be satisfactory only if the Commissioner has satisfied himself and has certified on the prescribed form that the officer has during such year performed his duties with efficiency and diligence and that his conduct during the period has been satisfactory.

(3) In determining whether the service of an officer during a year has been satisfactory, the Commissioner may not take into account a specific act of delinquency if the officer qualified for an increment in other respects.

(4) The Commissioner shall sign the increment certificate on the prescribed form, effective from the date when the officer's increment becomes due, and shall attach the said certificate to the paysheet for the month in which the increment accrues.

47. (1) Subject to this regulation, an officer who is appointed to act in a higher office shall be paid increments in that higher office and shall continue to draw increments in his substantive office.

Increment while acting.

(2) Where an officer—

- (a) was not earning increments in his substantive office, and the office in which he is acting has a salary range, he shall receive an increment in the higher salary range on the anniversary date of his acting appointment;
- (b) has reached the maximum salary of his substantive office, which maximum may be equal to or greater than the minimum but less than the maximum of the higher office, he shall receive an increment in the higher salary range as stated in paragraph (a).

(3) The grant of an increment under subregulation (2)(a) or (b) shall be subject to the—

- (a) officer acting continuously for a period of twelve months in the higher office; and
- (b) issue of an increment certificate certifying satisfactory service on the prescribed form by the Commissioner.

(4) The period of continuous acting mentioned in subregulation (3) shall not be considered to have been broken if the officer is granted normal sick leave, paternity or maternity leave during the acting appointment.

(5) Where an officer has been acting in a higher office for more than twelve months and, in accordance with subregulation (2), is in receipt of increments in such office, he shall continue to receive such increments after a break in the acting appointment, but only if—

- (a) he resumed acting in the same higher office or in a higher office in the same salary range within six months of the break; or

(b) the break was caused by his proceeding on leave of any type for a period not exceeding one year and he resumes duty in the higher office within six months of his resumption of duty.

Incremental
date—general.

48. (1) An officer who is transferred from one office to another office that has the same salary range shall retain the incremental date of the office from which he was transferred.

(2) Where an officer has been acting in an office immediately before his appointment to it, his incremental date shall be the anniversary date of his acting appointment, if it is more advantageous to him, instead of the date on which his next increment would have become due in the post from which he was promoted.

Incremental
date—on
probation.

49. (1) Subject to this regulation, an officer appointed or promoted on probation to an office shall not be granted an increment until he has been confirmed.

(2) Upon confirmation, an officer's incremental date shall be the anniversary of the date of appointment or in the case of promotion, in accordance with regulation 44(2).

ADVANCES

Application for
advance.

50. An application for an advance under regulation 49 shall be made to the Comptroller of Accounts.

Payment of
advance.

51. (1) An advance not exceeding one month's salary may be paid to an officer proceeding on vacation leave of not less than fourteen days to be spent either out of Trinidad and Tobago or in Trinidad and Tobago but away from his ordinary place of residence.

(2) An advance paid under subregulation (1) shall be paid to the officer either in Trinidad and Tobago before he proceeds on leave or at his request while he is abroad on leave.

(3) An advance not exceeding one month's salary may be made to an officer through a Trinidad and Tobago Overseas Mission in case of an emergency, each case being dealt with on its merit.

(4) Interest is payable on any advance made under this regulation, at such rates as the Minister of Finance may determine.

(5) An advance paid under this regulation, together with interest thereon, shall be repaid in not more than twelve monthly instalments or over such longer period of time as may be fixed by the Minister of Finance, the first instalment falling due at the end of the month following that in which the officer resumes duty.

(6) The Minister of Finance may authorise an advance for any purpose other than those specified in this regulation, under terms and conditions to be fixed by him.

ALLOWANCES

52. (1) An officer appointed to act in an office in a salary range that is higher than that of his substantive office shall, with effect from the date of the commencement of his acting appointment, if the actual salary he is drawing in his substantive office is less than the minimum salary of the office in which he is appointed to act, receive the minimum salary of the higher office. Acting allowance.

(2) An additional payment made under this regulation to an officer appointed to act in a higher office, that is over and above what he should have drawn in his substantive office, is deemed to be an acting allowance payable to him.

53. A grant shall be made at such sum as may be approved by the Minister of Finance to assist in defraying the funeral expenses of an officer who dies while in service. Grant for funeral expenses.

54. (1) An officer who is transferred and as a result suffers hardship, whether or not he is separated from his family, shall, on application by him, be granted a hardship allowance on the same basis as applicable to a separated officer but for such period of time as the Commissioner may direct. Hardship allowance.

(2) An application for a hardship allowance shall be submitted monthly on the prescribed form to the Commissioner, and, except in special circumstances, no claim shall be entertained that is made later than three months after the period to which the claim relates.

Housing
allowance.

55. (1) An officer who is not provided with appropriate quarters under regulation 114 shall be paid a housing allowance at such rates as may be approved by the Minister of Finance.

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

(3) Where an officer fails to comply with subregulation (2), the housing allowance shall be payable only for the preceding three months from the date of compliance with subregulation (2).

(4) An officer shall not receive a housing allowance payable to a married officer and a housing allowance payable to an unmarried officer for the same period of time.

(5) Where an officer is married to another officer, each officer shall be paid the housing allowance payable to an unmarried officer.

(6) An officer, in receipt of a housing allowance, who is—

- (a) widowed;
- (b) divorced; or
- (c) legally separated,

shall report the fact to the Commissioner within one month of the occurrence of the event.

(7) Subject to subregulation (8), an officer mentioned in subregulation (6) shall be paid the housing allowance applicable to a married police officer up to the end of the month in which the officer became widowed, divorced or legally separated, and thereafter the officer shall be paid the housing allowance applicable to an unmarried police officer.

(8) The officer mentioned in subregulation (6) may be allowed to continue to receive the housing allowance applicable to a married police officer where there are children of the

marriage or legally adopted children who are dependant on the officer until each child attains the age of eighteen or marries, whichever event occurs first.

(9) An officer occupying rent-free quarters is not entitled to any housing allowance.

(10) For the purpose of subregulations (2), (3) and (4), marriage includes cohabitation.

56. (1) An officer required to do duty in plain clothes shall be so authorised in writing by the Commissioner. Plain clothes allowance.

(2) An officer required to do duty in plain clothes shall be paid a plain clothes allowance at such rates as may be approved by the Minister of Finance for such part of a month in which he is so required to wear plain clothes, but such an allowance shall not be paid to an officer for any month in which he is required to wear plain clothes for a period of less than seven days.

57. (1) A proficiency allowance at rates approved by the Minister of Finance may be granted to an officer performing specified duties. Proficiency allowance.

(2) Subject to subregulation (1), an officer who goes on sick leave or vacation leave may continue to be paid a proficiency allowance but only if the period for which he is on vacation leave or sick leave does not exceed fourteen days.

58. (1) An officer shall be considered to be “separated” from his family if, as a result of an appointment or transfer, he is compelled to take up residence in another Division, District, Branch or Section without being able to take his family with him, because— Temporary separation allowance.

- (a) suitable accommodation cannot be found immediately in the new Division, District, Branch or Section for his family;

- (b) it would not be reasonable to expect the officer to remove his family from his present residence; or
- (c) he could not reasonably be expected to travel daily from his present residence to the new Division, District, Branch or Section.

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

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

- (a) it shall not exceed the maximum amount fixed by the Minister of Finance;
- (b) in the case of an appointment or transfer which is known to be permanent, it shall be paid for a period not exceeding three months;
- (c) in the case of an appointment or transfer which is known to be or turns out to have been temporary, it shall be paid for a period not exceeding six months;
- (d) extensions of the period of payment as provided for in paragraph (b) and (c) shall be made only on the authority of the Chief Personnel Officer, to whom application by the officer shall be made promptly with full supporting reasons for the grant of an extension of time;
- (e) no allowance shall be paid where the period of separation is less than one month;
- (f) the officer claiming the allowance shall be required to produce a certified statement, supported by payment receipts where possible, showing the additional expenditure involved in having to maintain two households;

Conditions attached to payment of temporary separation allowance.

- (g) the allowance granted shall be a sum equivalent to the additional expenditure incurred, but not exceeding the maximum amount fixed by the Minister of Finance;
- (h) an officer shall not receive both temporary separation allowance and subsistence allowance in respect of the same period.

60. An application for a temporary separation allowance shall be submitted monthly by a separated officer on the prescribed form to the Chief Personnel Officer through the Commissioner, and, except in special circumstances, no application shall be entertained which is not made within three months after the period to which the claims relates.

Application for temporary separation allowance.

61. (1) Subject to subregulation (2), the Commissioner may, at the written request of an organiser of such entertainment, bazaars, private assemblies or other occasions or functions as are approved by the Commissioner, provide for the services of officers for the purpose of preserving order at such entertainment, bazaars, private assemblies, other occasions or functions, and for performing such extra duties as the Commissioner may determine, on the payment of such rates as the Minister of Finance may prescribe.

Charges for extra duty prescribed.

(2) An officer shall not be deputed for extra duty under subregulation (1) unless he voluntarily undertakes such extra duty.

(3) An officer may only perform extra duty under subregulation (1) outside his official duty hours.

(4) Where an officer is deputed for extra duty under subregulation (1) he shall be paid for his service at the rate of ninety per cent of the charges levied under subregulation (1) and the remaining ten per cent shall be paid into the Award Fund.

(5) Nothing in this regulation shall apply in the case of a private or public Government function, except that in the case

of a private Government function, the Commissioner may levy charges in accordance with subregulation (1) and make payments in accordance with subregulation (4).

(6) An officer who volunteers and is deputed for extra duty under subregulation (1) shall report for duty as required.

Subsistence and meal allowances.

62. An officer shall be paid subsistence and meal allowances at a rate approved by the Minister of Finance.

Allowance for travelling abroad on official business.

63. An officer who is required to travel abroad on official business is entitled to such allowance as may be approved by the Minister of Finance.

Attorney allowance.

64. Notwithstanding his rank in the Police Service, an officer who is an Attorney-at-law and who is assigned to the legal department of the Service or who is not so assigned but is required to perform duties as an Attorney-at-law shall be paid an allowance, to be called an attorney allowance, at a rate approved by the Minister of Finance.

Qualifying allowance.

65. (1) Where an officer above the rank of constable is not promoted within three years after being interviewed by the Board for promotion, he shall, subject to regulation 20(4), be paid a qualifying allowance as from the third anniversary of the date of the examination.

(2) Where a constable is not promoted within three years after being recommended by the Board for promotion, he shall be paid a qualifying allowance as from the third anniversary of the date of the recommendation.

(3) The qualifying allowance shall be equal to an increment payable in the officer's salary range.

(4) When an officer, who is in receipt of the qualifying allowance, is promoted he shall not be paid such an allowance from the date of his promotion.

(5) Where an officer is in receipt of the qualifying allowance on the date of his retirement and has been receiving

this allowance for not less than three years from that date, the allowance shall be regarded as part of his salary for the purpose of computing his pension and gratuity.

PART VII

HOURS OF WORK, RECORDS OF PERSONNEL AND PERFORMANCE APPRAISAL REPORTS

HOURS OF WORK

66. (1) For the purpose of these Regulations, a week shall consist of seven days, the normal working hours of which shall be forty hours. Work week and working hours.

(2) The normal daily period of duty for an officer in the Second Division shall not exceed eight hours, and this may be performed in one tour.

(3) An officer shall not normally be required to be on duty beyond a period of four hours without having a break of at least one hour after the end of such period.

(4) The period of time taken as a break shall not be considered as part of the period of eight hours making up the normal daily period of duty.

(5) Every officer in the Second Division shall be granted in respect of any one week, two full days free from duty to be known as “weekly rest days” provided always that the normal work week is not reduced to less than forty hours.

(6) The weekly rest days shall be in lieu of Saturdays and Sundays, any of which may be counted as a weekly rest day if taken as such.

(7) An officer in the Second Division shall in respect of work in excess of forty hours a week—

- (a) be given commuted overtime pay or allowance at rates approved by the Minister of Finance;
- (b) be granted compensatory time off; or

(c) where such time off is not practicable, be paid overtime pay at rates approved by the Minister of Finance.

(8) The time limit for determining whether compensatory time off may be granted shall be fixed by agreement between the Chief Personnel Officer and the appropriate recognised association.

(9) Except in special circumstances, no overtime claim shall be allowed if submitted after six months from the date the overtime was earned.

Officer may be required to report for duty at any time.

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

Transfer.

68. (1) Where the Commissioner proposes to transfer an officer, the Commissioner shall make an order of transfer in writing and shall give not less than fourteen days notice to the officer who is to be transferred.

(2) In considering the transfer of an officer the Commissioner shall take into account any hardship that such transfer may occasion.

(3) Notwithstanding subregulation (1), where the exigencies of the Service so require, the Commissioner may transfer an officer without notice.

RECORDS OF PERSONNEL

Personal record.

69. (1) The Commissioner shall keep a personal record of each officer and it shall contain—

- (a) a description of the officer;
- (b) any change of name of the officer;
- (c) the officer's place and date of birth;
- (d) particulars of marriage, if any, and children, if any;

- (e) a record of service, if any, in any Naval, Military or Air Forces of a Commonwealth territory or in the Public Service;
- (f) a record of service, if any, in any other police service;
- (g) a record of the results of examinations at which the officer was a candidate; and
- (h) a record of service in the Service including particulars of all promotions, transfers, removals, injuries received, commendations, awards, punishments other than cautions, acting appointments, sick leave, academic qualifications, special or technical skills and training, and the date of his ceasing to be a member of the Service with the reason thereof.

(2) The Head of the Division or Branch under whom an officer on his first appointment is first transferred shall cause to be maintained a Divisional or Branch file, and on the officer's transfer from that Division or Branch, his Divisional or Branch file shall be sent direct to the Head of his new Division or Branch.

(3) An inset sheet with comments by the Head of the Division or Branch shall be kept for each officer in a Division or Branch, and on his transfer from a Division or Branch the officer's inset sheet shall be sent as part of his Divisional or Branch file direct to the Head of his new Division or Branch.

(4) An officer may at his request in writing and at a time convenient to the Administration be allowed to peruse his personal record.

(5) An officer shall be informed in writing of any adverse reports or any commendations that are made on his inset sheet or personal record.

70. (1) An officer who leaves the Service may be given a certificate of service stating his office and special skills

Certificate of service to be given.

and setting out the period of his service and in any other police service and the reason, cause or manner for his leaving the Service.

(2) The Commissioner may append to such certificate a recommendation with respect to the officer's efficiency and conduct.

(3) The personal record of a police officer who leaves the Police Service shall be kept for twenty years by the Commissioner who shall then forward it to the Government Archivist.

PERFORMANCE APPRAISAL REPORTS

Performance appraisal reports.

- 71.** (1) A performance appraisal report shall—
- (a) be in such form as may be prescribed by the Commissioner;
 - (b) be made in respect of each officer whether he holds a permanent or temporary or an acting appointment or is employed for a specified period;
 - (c) provide for communication to the officer of the nature of his job performance for the period under review, and his career potential; and
 - (d) ensure the officer's participation in the establishment of the standards required in order that his job performance and career potential are accurately evaluated by the persons specified in the form.
- (2) The officer in charge of the Division or Branch shall forward to the Commissioner in each year—
- (a) in respect of each officer who is within the scale of pay, a performance appraisal report not later than sixty days before an increment is due to an officer; and

(b) in respect of each officer who is at the maximum in the scale of pay or who receives a fixed pay, a performance appraisal report not later than the anniversary of the date of appointment of an officer to the office.

(3) A performance appraisal report shall relate to the period of service during the immediately preceding twelve months.

(4) The Commissioner shall cause an assessment of the job performance and career potential of each officer to be made by the officer identified as the reporting officer in the performance appraisal report.

(5) A reporting officer shall, after ensuring that proper communication has occurred with the officer being assessed concerning that officer's job performance, record in the performance appraisal report—

- (a) the strengths and weaknesses of that officer's job performance based on the duties and standards previously agreed upon with that officer;
- (b) the means, if any, by which the officer's job performance may be improved or his job satisfaction may be enhanced;
- (c) the training and developmental needs of that officer within the Service;
- (d) the future career potential of that officer and how it may be developed; and
- (e) the duties and standards of performance required of that officer for the next year.

(6) The reporting officer shall ensure that any commendation or award given to the officer shall be recorded in that officer's performance appraisal report.

(7) The officer being appraised may comment on the performance appraisal report on any aspect of it, whether it is satisfactory or not, and shall sign it.

(8) Notwithstanding regulation 191, and for the purpose of this regulation, an officer who is dissatisfied with his performance appraisal report is entitled to make a written complaint directly to an officer of a rank higher than the officer in charge of his Division or Branch.

(9) The officer who makes a complaint under subregulation (8) shall set out the specific nature of his dissatisfaction and is entitled to be heard by the officer to whom he has made the complaint and who shall make a final decision on the matter.

Officer to be informed of adverse report.

72. In order that an officer may be given every opportunity to correct any shortcomings which he might evince during the course of the twelve-month period of service to be reported on under regulation 71, the officer in charge of his Division or Branch shall cause the officer to be informed in writing when—

- (a) such shortcomings are noticed;
- (b) adverse markings are included in the performance appraisal report before he submits the report to the Commissioner.

Annual increments.

73. (1) A performance appraisal report made in respect of an officer under regulation 71 shall be the basis for determining the eligibility of an officer for an increment.

(2) Where the officer in charge of a Division or Branch, in a report made under regulation 71, recommends that an increment ought not to be granted, he shall notify the officer in writing, not later than sixty days before the increment is due, of the reasons for which he considers that the increment ought not to be granted.

(3) Where an officer is notified under subregulation (2), he may, within seven days of the receipt of such notification, make representations in writing through the officer in charge of his Division or Branch to the Commissioner.

(4) An annual increment shall not be suspended except on the authority of the Commissioner.

(5) Where the Commissioner, after considering any representation by an officer made under subregulation (3), supports the recommendation of the officer in charge of his Division or Branch referred to in subregulation (2), or where in the opinion of the Commissioner a report made under regulation 71 does not justify the payment of an increment to the officer, the Commissioner shall notify the officer in writing of his decision to suspend the payment of the increment.

(6) Subject to subregulation (7), the Commissioner may suspend the payment of an increment under subregulation (5) for a period not exceeding six months.

(7) Where the Commissioner suspends an increment to an officer under subregulation (5) for a specified period, the officer in charge of the Division or Branch shall, not less than thirty days before the expiration of the specified period, make a report on such officer and if in the opinion of the Commissioner—

- (a) the report justifies the payment of the increment, the Commissioner shall grant the increment which shall be payable from the date from which it is granted; or
- (b) the report does not justify the payment of the increment, the Commissioner may suspend the payment of the increment for a further period not exceeding six months.

(8) Where the Commissioner suspends the payment of an increment to an officer under this regulation, the suspension shall not affect the officer's incremental date.

PART VIII

VACATION LEAVE, SPECIAL LEAVE, AND MEDICAL MATTERS

74. (1) Subject to subregulations (2) and (3), and unless otherwise stated in these Regulations, leave of absence may be granted to an officer to the extent and under such conditions as are provided in this Part.

Leave to be granted in accordance with this Part.

(2) Leave, other than sick leave, injury leave and maternity leave, shall be granted subject to the exigencies of the Service.

(3) The Commissioner shall determine whether the exigencies of the Service are such as to enable an officer to proceed on leave at any given time.

(4) The Commissioner may, if the exigencies of the Service so require—

(a) cancel any leave already granted;

(b) recall to duty an officer who has proceeded on leave.

VACATION LEAVE

Eligibility for vacation leave.

75. (1) An officer is eligible for vacation leave each year only after the completion of one year of service.

(2) Where an officer has been recalled from vacation leave, he is eligible for the unexpired period of such leave.

(3) An officer who is recalled from vacation leave shall be reimbursed for any reasonable out-of-pocket expenses, including actual financial loss sustained as a consequence of the decision to recall him from such leave.

(4) The period of training undertaken by a trainee who is appointed as an officer shall be considered in the computation of that officer’s vacation leave.

Vacation leave entitlement.

76. (1) An officer is entitled to vacation leave each year as follows:

Grade	Years of Service	Working Days
1–9	1–10	28 working days
1–9	Over 10 years	35 working days

(2) In computing length of service for the purpose of subregulation (1), service shall include “other public service” and “service in the group” as defined in section 2 of the Pensions Act.

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(3) In calculating vacation leave, Saturdays, Sundays and public holidays shall not be counted.

(4) No more than fifteen per cent of the officers assigned to any Division or Branch may be granted leave at any one time.

77. An officer shall not earn vacation leave while on vacation leave or extended sick leave.

Vacation leave not to be earned while on leave.

78. Subject to the exigencies of the Service, an officer shall proceed on annual vacation leave as provided for in regulation 76(1), and where the leave taken is less than his maximum leave, the amount of leave taken shall be deducted from his vacation leave entitlement specified in regulation 76(1) for his grade.

Vacation leave to be taken annually.

79. An officer who, owing to the exigencies of the Service, is required to defer his vacation leave, shall, in the year following that in which his vacation leave was deferred, be granted such deferred vacation leave together with the vacation leave for that year.

Deferment of vacation leave.

80. (1) Subject to regulation 76, an officer may, with the prior written approval of the Commissioner, be allowed casual absences from duty, which shall be deducted from his vacation leave entitlement specified in regulation 76(1) for his grade to a maximum of—

Casual absences to be deducted from vacation leave.

- (a) fourteen working days if he holds an office in the First Division; or
- (b) seven working days if he holds an office in the Second Division.

(2) Notwithstanding regulation 75(1), the Commissioner may apply subregulation (1) to meet the case of an officer who has not completed a full year of service, but leave so granted shall not exceed the total amount of vacation leave that the officer can be considered as having earned on a *pro rata* basis at the time of the grant of such leave.

81. Vacation leave, once earned, shall not be forfeited.

Non-forfeiture of vacation leave earned.

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Accumulation of vacation leave.

82. (1) Vacation leave may normally be accumulated, with the approval of the Commissioner, to a maximum of—

(a) ninety working days, in the case of an officer in the First Division;

(b) sixty working days, in the case of an officer in the Second Division.

(2) An officer may accumulate leave in excess of the maximum specified in subregulation (1) with the approval of the Commissioner.

(3) Where, upon the coming into force of these Regulations, an officer has accumulated annual leave in excess of ninety days, he may be required to take all or such part of the excess as is agreed upon by the Commissioner.

Grant of vacation leave.

83. (1) Subject to subregulation (2), the Commissioner shall have authority to grant vacation leave to all officers.

(2) Vacation leave in the case of the Commissioner or a Deputy Commissioner shall require the approval of the Minister.

Application for vacation leave.

84. (1) An application for vacation leave to be spent in or out of Trinidad and Tobago shall be submitted to the Commissioner, on the prescribed form, not later than 31st October in the preceding year to facilitate the preparation of the leave roster for the year ahead.

(2) The Commissioner may in special circumstances vary the requirement of subregulation (1).

(3) An officer who has applied for vacation leave within the specified time shall, subject to the exigencies of the Service, be informed not less than one month before his vacation leave is due to commence, whether or not his application has been granted.

Record of officers on leave.

85. The Commissioner shall cause a record to be kept to show—

(a) the officers to whom he has granted leave;

- (b) particulars of the duration of such leave;
- (c) the address at or other means of contact by which an officer may be located during his leave.

86. An officer who is required to attend Court while on vacation leave as a result of his official duty shall have his vacation leave extended by a period equal to the number of days he has attended Court.

Attending Court while on vacation leave.

SPECIAL LEAVE

87. (1) An officer selected as a member of an official Police Service team as approved by the Commissioner and engaging in a sporting, educational or cultural event or series of such events may, subject to the exigencies of the Service, be granted duty leave with full pay for such purpose.

Duty leave and special leave.

(2) An officer selected to represent Trinidad and Tobago as a member of a national team engaging in a sporting, educational or cultural event or series of such events shall, subject to the exigencies of the Service, be granted special leave with full pay to enable him to complete his engagement.

(3) Leave granted under this regulation shall not affect an officer's entitlement to vacation leave.

88. (1) An officer granted a scholarship sponsored by the Government is eligible for study leave and for such allowances and benefits as may from time to time be provided for other public officers.

Scholarship and study leave.

(2) An officer who undertakes a course of study approved by the Commissioner is eligible for study leave and for such allowances and benefits as may from time to time be provided for other public officers.

89. (1) An officer is entitled to fourteen days sick leave a year.

Sick leave.

(2) An officer who is away from duty, due to illness, for a period—

- (a) not exceeding two days is not required to tender a medical certificate; or
- (b) exceeding two days shall submit a medical certificate prepared and signed by a duly qualified medical practitioner,

and any leave taken under this regulation shall count in calculating the total sick leave for the year.

(3) An officer mentioned in subregulation (2)(a) shall, by any means, inform the Second Division officer or the officer in charge of the shift or the police station where he is posted at least two hours before he is due to report for duty that he would be away from duty.

(4) The Commissioner may require an officer who habitually takes advantage of subregulation (2)(a) to present himself to a Government medical officer for a medical examination.

Extension of sick leave in Trinidad and Tobago.

90. (1) An officer who seeks an extension of sick leave while in the country shall apply to the Commissioner in writing and the application shall be supported by a medical certificate issued by a duly qualified medical practitioner, a duly qualified medical practitioner attached to the Service or the duly qualified medical practitioner in the medical institution where the officer has been treated and who treated the officer.

(2) An officer who seeks an extension of sick leave under subregulation (1) shall within the first three days inform, by any means, the Second Division officer in charge of the police station where he is posted or the Head of the Division, who shall communicate such information to the Commissioner.

(3) Upon receipt of the application referred to in subregulation (1), the Commissioner may grant an extension of sick leave with full pay, partial pay or no pay and in accordance with the relevant guidelines issued by the Chief Personnel Officer.

(4) An officer shall make an application for extended sick leave in accordance with subregulation (1) within two days of his absence from duty.

(5) In exceptional circumstances, an application under subregulation (1) shall be made by the officer not later than seven days after his resumption of duty.

91. (1) An officer who becomes sick whilst on vacation leave outside of the country and who has exhausted his sick leave entitlement shall immediately apply for an extension of sick leave through the Ambassador or other duly appointed Representative of Trinidad and Tobago and such an application shall be accompanied by a duly authenticated medical certificate.

Extension of sick leave outside of Trinidad and Tobago.

(2) Subject to subregulation (3), upon receipt of the application referred to in subregulation (1), the Commissioner may grant an extension of sick leave with full pay, partial pay or no pay.

(3) An extension of sick leave on full pay shall be granted to an officer to the extent of, at maximum, the number of days sick leave unutilised by the officer over the five-year period preceding the year in which the application is made.

(4) When the time granted under subregulation (1) or (3) has expired and the officer has failed to resume duty, the Commissioner shall send a notice to the address given in regulation 132(2) ordering him to appear before a Medical Board stating the time and place for such appearance.

(5) The Commissioner shall publish once in the *Gazette* and twice in two daily newspapers the name of each officer who is required to appear before a Medical Board stating the time and place for such appearance.

(6) If the officer fails to appear before the Medical Board within one month from the date of the notice mentioned in subregulation (5), he is deemed to have abandoned his office and may be dismissed from the Service by the Commissioner.

(7) An officer who is certified by a Medical Board to be suffering from such disease as renders him unfit for duty may be granted sick leave on full pay for a period not exceeding six months.

(8) If after the period mentioned in subregulation (7) the officer is unfit for duty, he may be granted vacation leave, if any, for which he is eligible.

(9) If after his sick leave and vacation leave, an officer is still unfit to assume duty, he is deemed unfit for the Service and his services shall be terminated by the Commissioner, with such benefits that may have accrued to him.

(10) Where on the commencement of these Regulations an officer who is abroad and has exhausted all his sick leave and entitlement to an extension of sick leave and has not resumed duty, subregulations (4), (5) and (6) shall apply.

Medical certificate necessary for sick leave.

92. Absence from duty for more than two consecutive days shall not in any circumstances be considered as sick leave unless supported by a medical certificate issued by a duly qualified medical practitioner.

Medical record of each officer.

93. (1) A Medical History Book shall be kept to show in respect of each officer every illness, results of random testing for dangerous drugs and injury sustained by the officer during his period of service, together with such account of treatment received and other comments and recommendations made by the duly qualified medical practitioner attached to the Service or the duly qualified medical practitioner concerned with the case, as well as a record of all sick leave granted.

(2) Every Medical History Book shall be kept confidential by the person in charge at the Police Hospital.

(3) The Commissioner shall have the power to order random drug testing for abuse of dangerous drugs by any officer.

94. Where an officer is injured in the performance of his official duty he is entitled to his remuneration for any leave approved by the Commissioner as a result of such injury or until he is discharged by a Medical Board.

Entitlement to full pay.

95. (1) The Commissioner may direct that a female officer qualifying for maternity leave shall be given light duties to perform at work prior to and following her period of maternity leave and for such period of time as the circumstances of her case may justify and may permit or require such officer to attend work not in uniform for such period of time, but such officer shall not qualify for a Plain Clothes Allowance.

Light duty in certain circumstances.

(2) For the purpose of this section “maternity leave” has the same meaning assigned to it by the Maternity Protection Act.

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96. (1) A male officer is eligible for paternity leave of four working days in respect of each pregnancy of his wife or cohabitant, to be granted at the time of delivery where—

Grant of paternity leave.

- (a) he furnishes a medical certificate stating the expected date of delivery; and
- (b) he registers the name of his cohabitant, where applicable, with the Commissioner.

(2) For the purpose of this regulation, “cohabitant” means a woman who is living with the officer in a *bona fide* domestic relationship for a period of not less than five years immediately preceding the pregnancy, but only one such woman shall be considered for the purpose of this regulation.

97. (1) An officer is eligible for the grant of bereavement leave of—

Grant of bereavement leave.

- (a) three working days where the death of a member of his immediate family occurs in Trinidad and Tobago; or
- (b) five working days where such a death occurs outside of Trinidad and Tobago and the officer actually travels abroad in connection with the death.

(2) When an officer is granted bereavement leave under subregulation (1)(b), he shall submit to the Commissioner within two weeks of his return documentary evidence of his travel abroad.

(3) For the purpose of this regulation, “immediate family” means the officer’s spouse, child, mother, father, brother, sister and, if the officer had registered his guardian, ward or cohabitant with the Commissioner, such guardian, ward or cohabitant.

MEDICAL BENEFITS

Officer entitled to free medical, etc., attention.

98. (1) An officer who is injured in the course of his duty is entitled to receive free medical, dental, optical and hospital treatment and medicines as may be necessary and as may be provided by a Government Medical Officer or at a Government medical institution.

(2) Where treatment or medicines mentioned in subregulation (1) are not readily available from a Government Medical Officer or from a Government medical institution the officer shall be reimbursed the reasonable cost of any private treatment he may have received or medicines he may have purchased from any registered medical practitioner or from any approved medical institution having obtained the prior written approval of the Commissioner.

(3) An officer who—

(a) is injured in the course of his duty and is forced to retire on medical grounds; or

(b) has served up to his compulsory retirement age,

is entitled to medical treatment as if he is still an officer in the Service.

(4) Where an officer is injured in the course of his duty and has to travel abroad to seek medical, dental, and optical or hospital treatment, the cost of the airfare and any such treatment shall be provided by the Government.

PART IX

CUSTODY AND CARE OF PRISONERS

99. (1) The cell for female prisoners shall be provided with two locks or padlocks fitted with different keys, and the key of one lock shall be kept by the officer in charge of the Charge Room and the key of the other by a female officer. Key for female cell.

(2) A duplicate of the key kept by the female officer shall be kept in the Charge Room under the station seal.

(3) Except in a case of emergency, no cell in which a female prisoner is confined shall be opened except by or in the presence of a female officer.

100. A cell in which prisoners are confined shall be opened by not less than two officers. Opening of cell.

101. (1) A prisoner shall be searched on arrest, on arrival at the Police Station and immediately before being placed in a cell and again on being taken from the cell. Searching of prisoner.

(2) At a Police Station a male prisoner shall be searched by two male officers and a female prisoner by a female officer.

102. (1) All property found on a prisoner when he is searched shall be taken from him and a record shall be made in the charge book, and this entry shall be read over to the prisoner who shall be asked to verify and to sign it as being correct. Record to be kept of prisoner's property.

(2) If the prisoner claims that the entry is incorrect, a note to this effect shall be made immediately against the entry by the most senior officer present and he shall report the matter to the officer in charge of the Division for immediate investigation.

(3) Property required as a Court exhibit shall be retained and handed over to the General Property Keeper.

(4) A prisoner's property shall be returned to him on his release from custody and he shall be required to sign for receipt of it in the Charge Book.

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(5) A prisoner's property in the possession of the Police for more than forty-eight hours shall be handed over to the General Property Keeper and transferred to the General Property Register.

(6) If a prisoner is handed over to a gaoler, the prisoner's property shall also be handed over to the gaoler, who shall give a receipt to the Police for it.

Prisoner's property handed over.

103. Subject to regulation 102(3), the property taken from a prisoner may be handed over to any person as directed by the prisoner, on such person giving a receipt for having received the property and the prisoner certifying that this has been done by signing the Charge Book or the General Property Register.

Prisoner in cell to be visited.

104. Unless as otherwise directed, the officer in charge of the Reception Area shall visit a prisoner in a police cell at least once every hour.

Children of prisoner in custody.

105. (1) The children of a prisoner, who have no relatives or other persons to take charge of them, may be taken charge of by a female officer and taken to a place of safety until other arrangements for their care can be made.

(2) The female officer shall be paid at such rate for each child cared for under subregulation (1) as the Commissioner may direct.

Feeding of prisoner.

106. (1) The Commissioner shall fix the daily ration for a prisoner in police custody.

(2) A prisoner shall be fed three times daily at 7.30 a.m., 12.30 p.m. and 5.30 p.m. or as near as possible to these hours.

(3) A prisoner may be supplied with food from outside, but the officer in charge of the Reception Area shall examine all such food.

Legal adviser to prisoner.

107. The legal adviser of a prisoner shall be allowed to communicate with the prisoner in private at a Police Station

but the prisoner must be kept in sight by an officer during such communication.

108. (1) When a prisoner reports sick, the senior officer at the Police Station shall immediately notify the appropriate Government Medical Officer or take the prisoner to a duly qualified medical practitioner or medical institution. Sick prisoner.

(2) Upon notice under subregulation (1), the Government Medical Officer, duly qualified medical practitioner or medical institution may order the prisoner be taken to a public hospital and he shall be escorted to such hospital in custody.

109. The strength of an escort to be provided for the removal of prisoners, except those conveyed in a prison van, shall be regulated as follows: Numerical strength of escort.

- (a) one prisoner shall be accompanied by at least one officer;
- (b) two to five prisoners shall be accompanied by at least two officers;
- (c) six to ten prisoners shall be accompanied by at least three officers.

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

111. In the case of a prisoner considered to be dangerous and unruly additional officers shall be sent as may be necessary. Dangerous prisoner.

112. An officer on escort duty shall be provided with handcuffs that shall be used when necessary. Handcuffs.

113. An officer escorting prisoners may be armed if the circumstances so warrant. Armed escort.

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PART X

GOVERNMENT BUILDING, FURNITURE,
HOSPITAL, ETC.

- Quarters. **114.** (1) An officer may reside in official quarters provided or in quarters approved by the Minister.
- (2) An officer in the First Division who occupies official quarters shall do so furnished and rent-free.
- (3) An officer in the Second Division who occupies official quarters shall do so rent-free.
- Furniture to be kept in good condition. **115.** All government furniture in Police Stations, buildings, offices and quarters shall be maintained in good order and condition, the responsibility for which shall rest with the senior officer in charge of the Police Station, building or office, or the occupant of the quarters.
- Repair to or replacement of furniture. **116.** When any government furniture referred to in regulation 115 requires repair or needs to be replaced the appropriate officer of the relevant Ministry shall be notified so that inspection, repairs or replacements may be effected.
- Notice board. **117.** All proclamations, Government Notices or other official notices, notices of rewards or advertisements of similar import shall be posted on notice boards at each Police Station.
- Reception area. **118.** A Reception Area shall be attached to each Police Station and all books and records of the Station shall be kept and maintained in it and in the manner directed by the Commissioner.
- Prisoners' cells. **119.** There shall be at least two prisoners' cells provided at each Police Station—one for adult male prisoners and the other for adult female prisoners.
- Hospital. **120.** (1) A hospital for the treatment of officers shall be established at any place as may be approved by the Minister assigned responsibility for health.

(2) To every such hospital there shall be appointed the appropriate staff for its proper administration including medical officers, nurses, pharmacists and other staff.

(3) Trained attendants shall also be appointed for the maintenance of proper discipline among patients, for the safe custody of the drugs, fittings and equipment, and for the cleanliness and good order of the premises.

PART XI

UNIFORM, EQUIPMENT, ARMS, STORES, ETC.

121. The description of all items of uniform and the orders of dress to be worn by officers shall be as set out in Appendix C and D or as prescribed by the Commissioner with the approval of the Minister and shall be published in the *Gazette*.

Uniform and order of dress. Appendix C and D.

122. An officer shall not whilst on duty in uniform wear a badge, emblem or other decoration other than those officially approved.

Unauthorised badge or other decoration.

123. (1) The Commissioner shall decide the quantity in which arms and ammunition may be issued to an officer, Division, Branch, Section or Station.

Issue of arms and ammunition.

(2) The Commissioner may withdraw any arms and ammunition issued to an officer, Division, Branch, Section or Station without assigning any reason for so doing.

(3) The authority of the Commissioner under this regulation is subject to the overriding authority of the Minister.

124. (1) Ammunition issued to a Division, Branch or Station that is not actually in use shall be kept in sealed boxes which shall be opened only in cases of inspection or emergency.

Control of arms and ammunition issued.

(2) The type and quantity of arms and ammunition issued and the date of issue shall be endorsed on each box.

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

(4) The Commissioner shall cause to be kept a detailed account of all arms and ammunition received and issued.

(5) No arms or ammunition shall be issued except on the written authority of the Commissioner or a Deputy Commissioner.

Issue of uniform.

125. Uniforms, including accessories, and equipment shall be issued to an officer in such quantities and at such periods as the Commissioner may direct.

Wearing of uniform and plain clothes.

126. (1) The Commissioner may, in special circumstances, require an officer to wear uniform when off duty.

(2) An officer shall not wear plain clothes whilst on duty, unless he is so authorised by the Commissioner.

Issue of stores.

127. Miscellaneous stores shall be issued to Divisions, Branches and Stations at such intervals and in such quantities as the Commissioner may direct.

Issue of bedding.

128. Articles of bedding shall be issued to an officer in such quantities and at such periods as the Commissioner may direct.

Requisition.

129. (1) Uniform, equipment and stores shall be supplied only on a requisition made to the person responsible for finance.

(2) A delivery and receipt voucher signed by the officer issuing the stores shall be sent with the stores, and on receipt, the voucher shall be signed by the officer receiving the stores and returned to the person responsible for finance.

Stores Ledgers.

130. (1) Stores Ledgers shall be kept by the person responsible for finance in which he shall enter all stores received, issued and returned to store.

(2) Receipts for all articles returned to store shall be given by the person responsible for finance.

PART XII

CONDUCT

131. (1) An officer's whole time shall be at the disposal of the Government. Duties of an officer.

(2) An officer in the First Division who is in charge of a Division or Branch shall be responsible for the state of his command as well as the state of his district and for the conduct and efficiency of all the officers under his command.

(3) An officer in the Second Division who is in charge of a Police Station shall be responsible for such Station and its district and for the conduct and efficiency of all the officers under his charge.

(4) In the absence of an officer referred to in subregulation (2) or (3), the authority and responsibility of that officer shall devolve upon the next in seniority unless the Commissioner otherwise specifically directs.

132. (1) Subject to subregulation (2), an officer shall not leave the country without the permission in writing of the Commissioner. Absence without leave.

(2) An officer who has been granted permission to go abroad shall supply the Commissioner with both a local and foreign address, to which any correspondence may be sent by registered mail and any correspondence sent to both addresses is deemed to have been received by him.

(3) In an emergency, such permission may be given by an officer of the First Division to an officer in the Second Division, and in the case of an officer in the First Division by an officer senior in rank.

(4) Where an officer grants permission under subregulation (3) he shall report the fact immediately in writing to the Commissioner.

Activities
outside the
Service.

133. An officer—

- (a) shall not engage in any activity, occupation or undertaking which would impair his usefulness as an officer or in any way conflict with the interest of the Service;
- (b) shall not without the consent of the Commissioner, accept any paid employment or engage in any trade or any professional, commercial, agricultural or industrial undertaking, or undertake private work for remuneration, whether in or outside of Trinidad and Tobago;
- (c) who invests in or acquires shares in any company carrying on business in or outside of Trinidad and Tobago or who acquires any interest in any professional, commercial, agricultural or industrial undertaking in or outside of Trinidad and Tobago shall, within thirty days after his investment or acquisition, inform the Commissioner of the fact in writing.

Officer not to
call or
participate in
certain public
meeting.

134. (1) An officer shall not call a public meeting to consider any action of the Government or actively participate in the proceedings of a meeting called for such purpose or procure signatures to any public petition regarding the actions of the Government.

(2) Nothing in these Regulations shall affect an officer's right to participate actively in any meeting called or sign any petition prepared by his appropriate recognised association on matters affecting the Service.

Participation in
demonstration,
etc., prohibited.

135. An officer shall not institute or take part in any processions, demonstrations or public meetings other than religious functions unless the permission of the Commissioner is first obtained.

136. (1) An officer shall not make public or communicate to the press or to any person, or make private copies of documents, papers or information of which he may have become possessed in his official capacity, unless his duties require him to do so.

Officer not to publish information.

(2) Notwithstanding that he may be charged with an offence under any other written law, an officer who contravenes subregulation (1) commits a disciplinary offence.

137. An officer, whether on duty or on leave of absence, shall not allow himself to be interviewed on questions of public policy or on matters affecting the defence or military resources of Trinidad and Tobago or of any other country unless his official duties require him to do so.

Officer not to allow interview on question of public policy.

138. (1) An officer shall not, without the written permission of the Commissioner, broadcast on the radio, television, Internet or by any other means or publish in any manner any statement which is in the nature of a personal comment on any national or local political or administrative matter unless his official duties require him to do so.

Officer not to publish comment on national or local matter.

(2) An officer may, with the written permission of the Commissioner, publish in his own name articles relating to other subjects of general interest, or give a lecture or presentation on the radio, television or Internet on such subjects.

139. An officer shall not make any public expression of political and sectarian opinions, and shall bear himself with strict impartiality in all matters.

Partisanship.

140. An officer shall not act as editor of a newspaper or take part directly or indirectly in the management of a newspaper, or contribute thereto any statement or article which may reasonably be regarded as a commentary on the politics of the country or the administration of the Government or that of any other Government.

Officer not to contribute to, edit or manage newspaper.

Rules relating
to lecture or
presentation.

141. (1) A lecture or presentation by an officer shall be governed by the following rules:

- (a) no question of payment either to the officer employed in the preparation or delivery of the lecture or presentation, or to the Service, shall arise in connection with the lecture or presentation that is necessary or desirable in order to enable the Service to carry out its recognised duties to the community;
- (b) a lecture or presentation which is not necessary for departmental purposes may be given by an officer who is an expert in a particular subject, whether or not he has specialised in this subject in his official capacity; and in all such cases, if the subject matter is related to the work or the policy of the Service, or if the officer is to be announced by his departmental title, the prior written permission of the Commissioner is required with the object of ensuring—
 - (i) that there is nothing in the lecture or presentation contrary to the public interest or inconsistent with the status of an officer; and
 - (ii) that the standing of the officer is sufficient to justify the delivery by him of a lecture or presentation under his departmental title.

(2) Subject to subregulation (1), and to the due observance of any professional rule that may be in force as to the acceptance of remuneration for the preparation or delivery of a lecture or presentation, an officer is entitled to make his own terms with the broadcasting authority, but in these cases the work involved in the preparation and delivery of the lecture or presentation shall be done outside official hours.

142. A senior officer shall not berate an officer junior in rank in the presence or hearing of an officer junior to the officer being berated or in the presence or hearing of any member of the public.

Reprimand of officer.

143. (1) An officer shall always appear in the public view properly dressed, cleanly and smartly turned out, smart in his movements, and respectful in his bearing and manner.

Appearance and turnout.

(2) An officer on duty shall not wear items of jewellery and trinkets for personal adornment, except a wristwatch, a bracelet for “allergy alert” and no more than two rings.

- (3) In the case of a male officer on duty—
- (a) the hair on his head shall be kept short;
 - (b) the chin and under lip shaven;
 - (c) whiskers shall not be worn; and
 - (d) the shaving of the upper lip is optional.

- (4) In the case of a female officer on duty—
- (a) the hair on her head shall not be worn lower than the nape of her neck;
 - (b) unnatural hair colours and hair decorations shall not be worn;
 - (c) fingernails shall be kept short and only natural nail polish shall be used; and
 - (d) make-up shall be simple and kept to a minimum.

(5) When a female officer on duty is exempted from wearing—

- (a) regulation shoes, she shall wear footwear as prescribed by the Police Medical Officer or an orthopaedic specialist;
- (b) stockings by the Police Medical Officer or an orthopaedic specialist, she shall wear dark blue socks.

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Indebtedness. **144.** (1) An officer shall not incur a debt that he knows or ought to know he is unable to discharge or which is likely to impair his efficiency or to bring the Service into disrepute.

(2) The Commissioner may require an officer to authorise deductions from his pay for the repayment of any debt to the Government.

Appendix E. (3) An officer who finds himself unable to discharge a debt he has incurred shall inform the Commissioner as soon as possible in the form prescribed in Appendix E.

(4) Where the Commissioner has reasonable grounds to believe that an officer is unable to discharge a debt which he has incurred, the Commissioner shall direct the officer to complete and submit the form prescribed in Appendix E within a specified period.

Bankruptcy. **145.** An officer who has been declared a bankrupt or against whom bankruptcy proceedings have been taken or who becomes insolvent shall within seven days of the occurrence of the fact report the fact in writing to the Commissioner.

Gift or reward. **146.** Except with the written permission of the Commissioner, an officer shall not accept a gift or reward from a member of the public or an organisation.

Exception to gift. **147.** Notwithstanding regulation 146 or 148, an officer may accept a gift offered by—

- (a) a representative of a foreign government on the occasion of an official visit to that country or on the visit of a representative of a foreign government to this country;
- (b) a community organisation, on a social occasion where the gift represents the appreciation of the organisation for his contribution to the work or achievement of the organisation;
- (c) any person on a celebratory occasion.

148. An officer shall not receive a gift or reward from a subordinate officer except with the written permission of the Commissioner.

Officer not to accept present from subordinate officer.

149. An officer who—

- (a) desires to initiate legal proceedings against any person; or
- (b) is charged with a criminal offence and is brought before a Court,

Legal proceedings.

shall promptly inform the Commissioner, in writing.

150. (1) An officer who contravenes any of these Regulations commits a disciplinary offence.

Offences.

(2) Without prejudice to the generality of subregulation (1), an officer is liable to be charged with a disciplinary offence if he commits any of the following:

- (a) *Discreditable conduct*, that is to say, if an officer acts in a disorderly manner prejudicial to discipline or reasonably likely to bring discredit to the Service;
- (b) *Insubordinate or oppressive conduct*, that is to say, if an officer—
 - (i) is insubordinate by word, act or demeanour;
 - (ii) is oppressive or tyrannical in his conduct towards an officer of a lower rank;
 - (iii) uses obscene, abusive or insulting language to another officer; or
 - (iv) assaults another officer;
- (c) *Disobedience to orders*, that is to say, if an officer disobeys or without good and sufficient cause omits or neglects to carry out a lawful order, written or otherwise;

- (d) *Neglect of duty*, that is to say, if an officer—
- (i) neglects, or without good and sufficient cause omits, promptly and diligently to attend to or carry out anything which is his duty as an officer;
 - (ii) withholds a report or allegation against another officer;
 - (iii) is not alert while on duty;
 - (iv) fails to work his beat in accordance with orders, or leaves his beat, point or other place of duty to which he has been ordered, without due permission or sufficient cause;
 - (v) permits a prisoner to escape;
 - (vi) fails to report a matter which is his duty to report;
 - (vii) fails to report anything which he knows concerning a criminal charge, or fails to disclose any evidence which he, or any person within his knowledge, can give for or against any prisoner or defendant to a criminal charge;
 - (viii) omits to make any necessary entry in any official document or book; or
 - (ix) neglects or without good and sufficient cause omits to carry out any lawful instruction of the Police Medical Officer or, while absent from duty on account of sickness, does any act or conduct calculated to retard his return to duty;
- (e) *Falsehood or prevarication*, that is to say, if an officer—
- (i) knowingly makes or signs a false statement in an official document or book;
 - (ii) wilfully or negligently makes any false, misleading or inaccurate statement; or

- (iii) without good and sufficient cause destroys or mutilates any official document or record, or alters or erases any entry therein;
- (f) *Breach of confidence*, that is to say, if an officer—
 - (i) divulges any matter which it is his duty to keep secret;
 - (ii) gives notice, directly or indirectly, to a person against whom a warrant or summons has been or is about to be issued, except in the lawful execution of such warrant or service of such summons;
 - (iii) without proper authority communicates by any means to the public, press, or to any unauthorised person, any matter connected with the Service;
 - (iv) without proper authority shows to any person outside the Service any book or written or printed document which is the property of the Service;
 - (v) makes any anonymous communication to the Commission, Commissioner or an officer in a senior office;
 - (vi) signs or circulates any petition or statement with regard to any matter concerning the Service, except through the proper channel; or
 - (vii) calls or attends any unauthorised meeting to discuss any matter concerning the Service;
- (g) *Corrupt practice*, that is to say, if an officer—
 - (i) fails to account for or to make a prompt and correct return of any money or property received by him in his official capacity;

- (ii) directly or indirectly solicits any gratuity, gift or reward, subscription or testimonial without the consent of the Commissioner;
 - (iii) places himself under pecuniary obligation to any person who holds a licence concerning the granting or renewal of which the Police may have to report or give evidence; or
 - (iv) improperly uses his position as an officer for his private advantage;
- (h) *Unlawful or unnecessary exercise of authority*, that is to say, if an officer—
- (i) without good and sufficient cause makes an unlawful or unnecessary arrest;
 - (ii) uses unnecessary violence to a prisoner or other person with whom he may be brought into contact in the execution of his duty; or
 - (iii) is uncivil to a member of the public;
- (i) *Malingering*, that is to say, if an officer feigns or exaggerates any sickness or injury with a view to evading duty;
- (j) *Absence without leave or being late for duty*, that is to say, if an officer, without reasonable excuse, is absent without leave or is late for any duty;
- (k) *Loss or damage to clothing or other property supplied*, that is to say, if an officer—
- (i) wilfully or by carelessness abandons, causes any loss or damage to any clothing, accoutrements, or to any book, document or other property of the Service supplied to him or used by him or entrusted to his care; or
 - (ii) fails to report any loss or damage as mentioned in subparagraph (i);

- (l) *Drunkness, or drug taking*, that is to say, if an officer, while on or required for duty, is unfit for duty through the taking of intoxicating liquor or dangerous drugs;
- (m) *Drinking on duty or soliciting drink*, that is to say, if an officer—
 - (i) drinks intoxicating liquor while he is on duty; or
 - (ii) demands, or endeavours to persuade any other person to give him, or to purchase or obtain for him, any intoxicating liquor while he is on duty;
 - (iii) reports for duty under the influence of intoxicating liquor or with the odour of intoxicating liquor on his breath;
- (n) *Entering licensed premises*, that is to say, if without permission or reasonable excuse an officer enters while on duty, any premises licensed under any written law or any other premises where intoxicating liquor is stored or distributed;
- (o) *Lending, borrowing or accepting money*, that is to say, where an officer compromises his ability to discharge his responsibility by lending, borrowing or accepting money from another officer;
- (p) *Being an accessory to a disciplinary offence*, that is to say, if an officer connives at or is knowingly an accessory to a disciplinary offence;
- (q) *Using any property or facility of the Service without the written consent of the Commissioner* for a purpose not connected with his official duties.

Ch. 48:50. (3) An officer who is suspected of being under the influence of dangerous drugs or intoxicating liquor is required to submit to a breath test or analysis or a laboratory analysis to determine his blood alcohol concentration in accordance with the Motor Vehicles and Road Traffic Act.

PART XIII

DISCIPLINARY PROCEDURE

Disciplinary proceedings.

151. An officer who fails to comply with these Regulations, or any order or directive for the time being in force in the Service commits a disciplinary offence and is liable to disciplinary proceedings in accordance with the procedure prescribed in this Part.

Suspension.

152. (1) When a report or allegation is received by the Commissioner from which it appears that a police officer may have committed an offence, and the Commissioner is of the opinion that the public interest or the repute of the Service requires it, the Commissioner may in writing direct the officer to cease to report for duty until further notice, and an officer so directed shall cease to perform the functions of his office immediately.

(2) An officer who is directed to cease to perform the duties of his office in accordance with subregulation (1) shall continue to receive full pay until such date as shall be specified in an order made by the Commissioner.

Interdiction.

153. (1) Where disciplinary proceedings for his dismissal are instituted or criminal proceedings are instituted against an officer and the Commissioner is of the opinion that the public interest or the repute of the Service requires that the officer should immediately cease to perform the functions of his office, the Commissioner shall, before making a decision whether or not to interdict the officer, inform the officer in writing of his intention to interdict him and give the officer an opportunity to be heard.

(2) An officer interdicted shall receive such proportion of the pay of his office, not being less than one-half, as the Commissioner may determine after taking into consideration the officer's monthly deductions.

(3) Where an officer is interdicted and criminal or disciplinary proceedings are determined in his favour, and notwithstanding an appeal is filed by the State in relation to the criminal proceedings, he is entitled to the full amount of the remuneration which he would have received if he had not been interdicted.

(4) Where a decision is given in favour of an officer interdicted under subregulation (1), the interdiction order shall immediately cease to have effect.

(5) If disciplinary proceedings against an officer result in any punishment other than dismissal the officer shall be allowed such pay as the Commissioner may in the circumstances determine.

(6) Where an officer is interdicted and criminal or disciplinary proceedings are not determined in his favour, and he files an application for review or an appeal, as the case may be, the interdiction order shall continue to have effect until the completion of the review or appellate process.

(7) Notwithstanding subregulations (2) to (6), the Commissioner may quash an interdiction order at any time and the officer is entitled to the full amount of the remuneration that he would have received if he had not been interdicted.

154. Where an officer is suspended under regulation 152 or interdicted under regulation 153, he shall report in person once per month to the Head of the Division in the Division where he lives, and the Head of the Division shall report that fact in writing to the Commissioner.

Reporting in person.

155. (1) In the exercise of the powers vested in him by section 123A(2)(c) of the Constitution, the Commissioner may

Disciplinary tribunal.

establish, in accordance with section 123A(3) of the Constitution, disciplinary tribunals at any Branch or Division consisting of such number of officers as he considers necessary to conduct disciplinary proceedings.

(2) A disciplinary tribunal established by the Commissioner shall exercise such power as may be delegated to it by the Commissioner.

Procedure on
alleged
commission of
offence.

156. (1) The Commissioner shall designate an officer of the First Division, who is not the head of the Division, as the “disciplinary officer” in each Division, Branch or Section, and the disciplinary officer shall be responsible for receiving all complaints against an officer by any person, including a member of the public or an officer, and he shall maintain a record of all such complaints.

(2) Where a member of the public or an officer makes a complaint against an officer (hereinafter referred to as “the officer concerned”) to another officer junior in rank to the officer concerned, or such junior officer finds the officer concerned committing a disciplinary offence, such junior officer shall inform the disciplinary officer of the complaint as soon as possible in writing.

(3) The disciplinary officer shall, within seven days from the date he is informed of the complaint under subregulation (2) or (11), appoint an investigating officer who shall give the officer concerned a written notice stating the specific nature of the complaint, that the matter shall be investigated and the officer concerned may, within seven days of receipt of the written notice, give to him an explanation in writing concerning the complaint.

(4) The investigating officer shall hold an office higher than that of the officer concerned.

(5) Subject to subregulation (6), the investigating officer shall promptly but not later than thirty days after his appointment investigate the matter, produce a report of his investigations and forward the report to the disciplinary officer.

(6) The investigating officer may apply to the disciplinary officer during the time specified in subregulation (5) for an extension of time but shall not be granted an extension exceeding thirty days to forward his report to the disciplinary officer.

(7) Where, in the explanation given under subregulation (3), the officer concerned makes an admission of guilt, the investigating officer shall forward the matter to the disciplinary officer who shall forward it to a disciplinary tribunal which shall determine the penalty to be imposed without further enquiry.

(8) Where the disciplinary officer, based on the results of the investigation under subregulation (3), finds that the complaint is without substance he shall so inform the officer concerned and the record of the complaint and of the investigation shall be immediately forwarded to the Commissioner for his final determination.

(9) Where the disciplinary officer, based on the results of the investigation under subregulation (3), finds that there is substance in the complaint he shall cause the officer concerned to be charged for any disciplinary offence disclosed and refer the matter to the disciplinary tribunal not later than twenty days from the date of the charge.

(10) The disciplinary officer shall cause a copy of the charge to be served on the officer concerned and the charge shall contain the particulars of the time, date and place of the hearing.

(11) Where an officer finds an officer of a lower rank than him committing a disciplinary offence or receives a report from another officer or a member of the public, the senior officer shall warn the officer in writing that he may be charged for a disciplinary offence and shall refer the matter to the disciplinary officer immediately.

(12) Where an officer is warned under subregulation (11), subregulation (2) shall not apply.

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Power of disciplinary tribunal.

157. (1) Where the officer admits the charge he shall be allowed to state any extenuating circumstances in mitigation and the disciplinary tribunal may impose any penalty within its delegated powers.

(2) Where the officer denies the charge the disciplinary tribunal shall proceed to hear and determine the matter.

(3) A disciplinary tribunal has the power to dismiss the charge on any ground, or find the officer guilty of the charge and impose a penalty that it is authorised to impose by the Commissioner in accordance with section 123A(3) of the Constitution.

Duty of officers appointed to disciplinary tribunal.

158. (1) It shall be the duty of every person appointed to hear the evidence, find the facts and determine the charge to do so as soon as possible.

(2) Where an officer who is a member of a disciplinary tribunal of three or more members is absent for whatever reason, including the grant of sick leave, the disciplinary tribunal may continue to hear and determine the matter in the absence of that officer, but the tribunal shall not be constituted of less than two members.

Officer on charge not to be permitted leave.

159. An officer who is charged with an offence shall not, without the written permission of the Commissioner, be permitted to take leave, other than sick leave or maternity leave, until the determination of the charge.

Procedure at hearing.

160. (1) Where an officer fails to give an explanation under regulation 156(2) or fails to admit or deny the charge the hearing shall proceed as though the officer denied the charge.

(2) The following procedure shall apply to a hearing by a disciplinary tribunal:

(a) the officer shall be given full opportunity to defend himself;

(b) the case against the officer may be presented by another officer, but that officer shall be the holder of an office higher than that of the officer charged;

(c) at the hearing the officer may conduct his defence either in person or may be represented by another officer of his choice or by his staff association or by an Attorney-at-law, except where the hearing is before a disciplinary tribunal constituted of one officer, the officer charged shall not be represented by an Attorney-at-law, and the officer or his representative may cross-examine the witnesses called in support of the case against him;

(d) a true record of the proceedings shall be taken.

(3) Nothing in this regulation shall be construed so as to deprive the officer from making a submission at any time that the facts disclosed in the evidence do not support the charge.

161. (1) The officer shall be allowed to state the names and addresses of any witnesses whom he may desire to give evidence at the hearing of the matter.

Witnesses.

(2) Any such witness who is an officer shall be ordered to attend at the hearing and any other witness shall be given due notice that his attendance is desired and of the date, time and place of the hearing.

(3) The disciplinary tribunal may order that a witness be granted a sum for reasonable out of pocket expenses.

162. The hearing of any charge may be adjourned from time to time as may appear necessary for due hearing of the case, but not longer than fourteen days.

Adjournment of hearing.

163. The proceedings before a disciplinary tribunal shall be held in private.

Proceedings in private.

164. If an officer does not attend the hearing of the charge against him without good reason, the hearing may proceed and conclude in his absence, but if good reason is given to the disciplinary tribunal by or on behalf of the officer why he is unable to attend the hearing, the hearing shall be adjourned.

Hearing in absence of accused officer.

Hearing in
absence of
prosecutor.

165. Where the prosecutor is absent without satisfactory explanation, the disciplinary tribunal shall adjourn the matter and so inform the officer in charge of the Division or Branch where the prosecutor is posted and that officer shall make inquiries and inform the tribunal in writing before the next hearing why the prosecutor was absent.

Standard of
proof.

166. (1) The standard of proof in any proceedings under this Part shall be that required in a Court in civil cases.

(2) The rules governing the admissibility of evidence shall be observed but the rules relating to the proof of documents may be waived except where a document is an issue in the proceedings.

(3) No documentary evidence shall be used against the officer unless he has previously been supplied with a copy of it or given access to it.

Tribunal to
report.

167. The disciplinary tribunal shall make a confidential report to the Commissioner and the report shall contain the facts, decision, reasons and any comments thereon it considers advisable.

Further offence
before
disciplinary
tribunal.

168. (1) Where, during the course of the hearing of a charge, it appears to the disciplinary tribunal there is evidence which could form the basis of another charge for which the penalty is within its delegated authority, the disciplinary tribunal shall—

- (a) cause the officer to be charged for the other offence;
- (b) proceed to hear and determine the original charge; and
- (c) subject to subregulation (2), proceed to hear and determine the other charge.

(2) Where an officer is charged for another offence under subregulation (1), the disciplinary tribunal shall adjourn the hearing of the other offence, if requested by the officer, for not more than seven days.

169. (1) Where a disciplinary tribunal has heard the evidence, found the facts and is of the opinion that the appropriate penalty for any offence is dismissal it shall make a report to the Commissioner.

Disciplinary tribunal may report to Commissioner.

(2) The Commissioner shall consider the report of the disciplinary tribunal submitted under subregulation (1) and may or may not dismiss the officer or impose any other penalty specified in regulation 173.

170. Where a disciplinary tribunal on hearing the evidence finds that the evidence is insufficient to support the charge or charges it shall dismiss the matter, without calling on the officer for his defence.

Insufficient evidence before disciplinary tribunal.

171. (1) At the conclusion of a matter, the disciplinary tribunal shall inform the officer who is convicted that he may—

Informing officer of decision and his right of review.

- (a) appeal the decision of the tribunal to the Police Service Commission; and
- (b) apply, in writing, to the Commissioner for a copy of the record of the proceedings.

(2) The Commissioner shall, as soon as possible after making a decision under regulation 169, inform the officer in writing of the—

- (a) decision;
- (b) right to appeal the decision to the Police Service Commission; and
- (c) right to apply, in writing, to the Commissioner for a copy of the record of the proceedings.

(3) Where the officer—

- (a) files an application for a review, the penalty shall not take effect pending determination by the reviewing authority;
- (b) does not file an application for review, the penalty shall take effect at the expiration of the time specified in any written law for filing such application.

(4) Where an officer is informed that the penalty imposed on him is dismissal, the officer, notwithstanding that he files an application for review within the time specified in the written law, shall not receive any pay or allowances from the date specified by the Commissioner.

(5) The failure to inform an officer of his right to file an application for review or to apply for a copy of the record of the proceedings shall not invalidate the decision of the Commissioner or a disciplinary tribunal.

Commissioner may remove officer in public interest.

172. Where, after considering the report of the disciplinary tribunal submitted under regulation 168, the Commissioner is of the opinion that the officer does not deserve to be dismissed by reason of the charges alleged but that the proceedings disclose other grounds for removing him from the Service in the public interest, the Commissioner may make an order for the removal of the officer without recourse to the procedure prescribed by regulation 32.

Penalties.

173. (1) The following are the penalties that may be imposed by the Commissioner in disciplinary proceedings brought against an officer in respect of a disciplinary offence:

- (a) dismissal, that is, termination of appointment;
- (b) reduction in an office, that is, removal to another grade with an immediate reduction in pay;
- (c) reduction of remuneration, that is, an immediate adjustment of remuneration to a lower point on the scale of remuneration attached to the particular office;
- (d) deferment of increment, that is, a postponement of the date on which the next increment is due, with corresponding postponements in subsequent years;
- (e) stoppage of increment, that is, no payment for a specified period of an increment otherwise due;

- (f) fine;
- (g) reprimand.

(2) Where a fine is imposed the amount of such fine shall be deducted from the pay of the officer in such manner as may be determined by the Commissioner.

174. (1) An officer convicted of a criminal charge and sentenced to imprisonment without the option of a fine or convicted of a criminal charge involving dishonesty or fraud shall not receive any pay or allowance after the date of conviction.

Non-payment of remuneration on conviction for a criminal offence.

(2) The Commissioner may direct that an officer convicted of a criminal charge shall cease to perform the duties of his office immediately.

(3) Notwithstanding that an officer referred to in sub-regulation (1) has appealed against his conviction, he shall not receive any pay or allowance after the date of conviction.

PART XIV

RECOGNITION OF POLICE SERVICE ASSOCIATION

175. (1) In this Part—

“applicant association” means an association making an application;

“application” means an application made under regulation 176;

“association” means an association formed under section 34 of the Act;

“member” means an officer who has paid by way of subscription to an association for a continuous period of two months immediately prior to the date on which an application is made, the sum required by the rules of that association;

“Minister” means the Minister assigned with responsibility for finance;

“objecting association” means an association making an objection under regulation 180.

Interpretation of Part XIV.

(2) For the purpose of these Regulations, where an officer is a member of an appropriate recognised association, any subscription paid by him to any other association shall not be taken into account for the purpose of determining membership of that other association.

Application for recognition.

176. (1) An association seeking recognition as an appropriate association shall apply in writing to the Minister.

(2) An application shall be accompanied by—

- (a) a document from the Registrar General certifying that the rules of the association have been filed under section 36(2) of the Act;
- (b) a copy of the rules of the association;
- (c) a list of the names of members of the association that the association purports to represent and of the class and any category of office into which those members fall; and
- (d) an affidavit made by the person authorised by the executive of the association testifying that at the date of the application—
 - (i) no member of the association is a member of any other association; and
 - (ii) the membership of the association comprises more than fifty per cent of the persons falling into the class that the association purports to represent.

Publication of application.

177. The Minister shall within seven days of receipt of an application cause a notice to be published in the *Gazette* stating—

- (a) the date of the application, the name of the applicant association and the place where the documents specified in regulation 176(2)(b) and (c) may be examined; and

- (b) that unless an association objects before the expiry of fourteen days from the date of the publication of the notice, the application shall be determined under section 34 of the Act.

178. (1) An association may object to an application by writing to the Minister before the expiry of fourteen days from the date of the publication of the notice referred to in regulation 177(b).

Objection to application.

(2) The grounds for an objection shall be—

- (a) that more than fifty per cent of the class that the applicant association purports to represent, are already represented by the objecting association; or
- (b) that the members of the application association are members of the objecting association.

(3) The Minister on receipt of those objections shall cause the applicant association to be informed in writing of the objection of the objecting association.

(4) The applicant association may respond to those objections in writing to the Minister no later than seven days of being so informed.

179. (1) Where an application is made, or where an objection is made to the Minister under regulation 175(1), the Minister may require the applicant association or the objecting association to produce before the expiry of seven days of the date of the application or the objection, such books, records or other documents as he thinks fit.

Examination of records.

(2) The Minister shall cause any books, records or other documents produced by an association under subregulation (1) to be examined in order to ascertain—

- (a) the membership of the association; and
- (b) which association is representative of more than fifty per cent of a class of officers.

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Decision of
Minister.

180. The Minister shall make his determination under section 34 of the Act no later than thirty days from the date of the notice referred to in regulation 178, and in so doing shall consider any objections or responses to those objections made under regulation 178(1).

Public
recognition.

181. The Minister, upon being satisfied that an association satisfies section 34 of the Act, shall cause a notice of recognition of that association as the appropriate recognised association to be published in the *Gazette* together with any withdrawal of recognition from an appropriate recognised association under section 34 of the Act, as may be necessary.

Special duty
leave and time
off.

182. (1) Subject to the exigencies of the Service, special duty leave with full pay up to fourteen days per year may be granted by the Commissioner to an officer who is required to attend a conference in or outside of the State as a delegate of an appropriate recognised association.

(2) Leave granted to an officer under subregulation (1) shall not affect his entitlement to vacation leave.

(3) An officer who is a member of an appropriate recognised association and who is authorised to do business for that association shall be allowed time off to do such business by the Commissioner if the work of the Service would not be unduly affected.

(4) An application for leave or time off under this section shall, as far as practicable, be made well in advance of the commencement of such leave or time off.

PART XV

GRATUITIES AND PENSIONS

Computation of
gratuity, etc., a
matter of high
priority.

183. (1) The computation and authorisation of gratuities and pensions of officers whose retirement from the Service is known to be impending shall be treated as urgent matters of high priority.

(2) The Commissioner shall ensure that particulars of service and pay of all officers whose retirement is known to be imminent are furnished accurately to the Comptroller of Accounts not less than three months before the date on which the officers concerned are due to retire, in order to enable the computation and checking of pensions, retiring allowances and gratuities to be completed by the Comptroller of Accounts and the Auditor General and submitted for authorisation before the date on which the officer's retirement from the Service is due to take effect.

184. (1) As a contribution towards the special superannuation allowances provided to officers, there shall be deducted from the pay of every officer a sum at such yearly rate as the President from time to time directs, not being a greater rate than one and a quarter per cent; and all such sums shall be paid to the Comptroller of Accounts on or before the eighth day of every month.

Contribution to superannuation allowances.

(2) In the event of an officer leaving the Service by reason of dismissal without being eligible for a pension or gratuity under any written law, he is entitled to the return in full of all deductions made from his pay under subregulation (1), but the President may direct that any amount due to the State in respect of any liability or defalcation be deducted from any amount so returnable.

(3) In addition to the contribution payable under subregulation (1), an officer shall, if the case so requires, pay arrears of contribution in respect of his full-time service as an officer or in a pensionable office in the Public Service or in respect of both.

(4) The arrears of contribution payable under subregulation (3) shall be determined on the basis of the actual pay received by the officer for each year in respect of which the arrears are payable and the aggregate amount thereof shall in the case of an officer who retires from the Service, be deducted from

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his pay, as far as practicable, by equal monthly instalments over a period of three years from the above-mentioned date or such lesser period, where the remainder of the service of the officer in the Service is less than three years, or from his gratuity, by lump sum, where any arrears of contribution are unpaid on the retirement of such officer.

(5) In subregulation (3), “Public Service” has the same meaning as in the Pensions Act and includes service in the Fire Service established under the Fire Service Act, in the Prison Service established under the Prison Service Act, and as a full-time member of the Special Reserve Police established by the Special Reserve Police Act.

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Pension to
officer in
special cases.

185. (1) Subject to subregulation (2), an officer who is physically or mentally disabled may retire and, if he has completed ten years of satisfactory service, he may be granted a monthly pension not exceeding $\frac{1}{480}$ th of a month’s pay for each completed month of service.

(2) A pension shall not be granted under subregulation (1) unless it is stated in a certificate of a Medical Board that the officer to whom the certificate refers is incapable from infirmity of mind or body of performing the duties of his office and that such infirmity is likely to be permanent.

(3) Subject to this regulation, an officer who is not disabled, has attained the age of fifty years and has served in the Service for not less than ten years may be granted a monthly pension not exceeding $\frac{1}{480}$ th of a month’s pay for each completed month of service.

(4) For the purpose of regulation 184(3) and subregulation (3), a period of full-time service in a pensionable office in the Service shall be counted as service in the Service if it terminates not earlier than the day immediately preceding the commencement of service in the Service.

(5) In subregulation (4), “full-time service” means service remunerated at a monthly paid rate and includes any period of absence from duty on leave with full pay.

(6) The amount of any pension payable to an officer under this regulation shall not exceed 85 per cent of his final pay for the year in which he retires, except that, in the case of an officer in the Second Division on the 1st October 1973, who retires from the Service as an officer in the Second Division, the percentage of final pay for the year in which he retires shall not exceed 92 $\frac{1}{2}$ per cent.

(7) Where a period of service as an officer is or has been immediately followed by service in a pensionable office in another public service as defined in the Pensions Act, such an officer, notwithstanding anything contained in subregulation (4), is entitled to a monthly pension under the Act not exceeding $\frac{1}{480}$ th of a month's pay for each completed month of service if he has served in the Service for not less than ten years; and if he ultimately retires from that other public service at an age less than fifty years at which he is permitted by Regulations of that service to retire with a pension, the pension which may be granted to him under the Act shall be payable from the date of such retirement, notwithstanding that he shall not be fifty years of age. Ch. 23:52.

(8) An officer may, if he has exercised his option as provided in subregulation (9) but not otherwise, be paid, in lieu of any pension for which he is eligible, a pension at the rate of three-fourths of such pension together with a gratuity equal to twelve and one-half times the amount of the annual reduction so made in the pension.

(9) The option referred to in subregulation (8) shall be exercisable, and if it has been exercised may be revoked—

- (a) not later than one month after the retirement of the officer in case of a pension awarded under subregulation (1) or (2); and
- (b) not later than the day immediately preceding the date of his retirement from another public service in the case of a pension awarded under subregulation (7),

but the President may, if it appears to him equitable in all the circumstances to do so, allow such an officer to exercise the option or revoke an option previously exercised at any time between that date and the actual date of award of pension under the Act.

(10) The date of the exercise of the option by an officer under subregulation (8) is deemed to be the date of the receipt of his written notification addressed to the Commissioner.

(11) Subject to subregulation (8), if an officer has exercised the option his decision shall be irrevocable so far as concerns any pension to be granted to him under this regulation.

(12) Where an officer has not exercised the option and dies after his retirement but before a pension has been awarded under the Act, the President may grant a gratuity and a reduced pension as provided for in subregulation (9) as if the officer before his death had exercised the option.

(13) Nothing in this subregulation shall be construed to entitle an officer absolutely to any pension, or to prevent his being dismissed without pension, subject to subregulations (14) and (15), if such an officer to whom a pension has been granted under the Act is sentenced to a term of imprisonment by a Court in Trinidad and Tobago or elsewhere for any crime or offence, or quits Trinidad and Tobago after having reason to know that a charge of having committed any indictable or summary offence has been laid against him, and before such charge has been heard and determined, the President may direct that such pension shall immediately cease.

(14) An officer whose pension has ceased in pursuance of subregulation (13), and who at any time receives a pardon in respect of the offence for which he had been convicted, is entitled to have such pension restored to him with effect from the date on which it was ceased.

(15) The President may, where a pension ceases for the reasons set out in subregulation (13), cause all or any part of the moneys to which the pensioner would have been entitled by way

of pension to be paid to or applied for the benefit of his wife or children or, after the expiration of his sentence, for his personal benefit in such proportions and manner as the President thinks proper, and such moneys shall be paid or applied accordingly.

186. (1) Where an order of maintenance is made against an officer to whom a pension has been granted under any written law, the President may, on its being proved to him that there is no reasonable probability of such order being satisfied, from time to time cause to be deducted from the moneys payable to such person such sum as the President may consider expedient and may cause the same to be applied to satisfy wholly or partly the said order.

Payments out
of pensions.

(2) Where an officer to whom a pension has been granted has left Trinidad and Tobago and has deserted and left his wife or child in Trinidad and Tobago without sufficient means of support is, by reason of such officer's absence from Trinidad and Tobago, unable and would but for such absence be able to obtain an order of maintenance, the President may from time to time cause to be deducted from the moneys payable to such officer by way of pension such sum as the President may consider expedient and apply the same for the maintenance and support of such wife or child.

187. (1) When an officer has been retired in accordance with regulation 185(1), and regulation 185(2) has been satisfied, but such officer has not served in the Service for ten years, he may be granted by way of gratuity a sum not exceeding one-twelfth of a month's pay for each completed month of service.

Service for less
than ten years.

(2) An officer who has served in the Service for more than five years but less than ten years and who—

(a) does not at the end of any period of enlistment or re-enlistment, re-enlist; or

(b) is dismissed or has his services dispensed with,

may be granted by way of gratuity such sums not exceeding one-twenty-fourth of a month's pay for each completed month of service.

Broken service. **188.** (1) No pension, gratuity or other allowance shall be granted in respect of a period of service that is broken by dismissal or removal.

(2) Service is not broken where it is interrupted by one or a combination of the following:

- (a) one day;
- (b) weekends;
- (c) public holidays;
- (d) suspension; or
- (e) interdiction, where the outcome is favourable to the officer.

Permanent injury.

189. (1) Subject to subregulation (2), when the President is satisfied that an officer has been permanently injured—

- (a) in the actual discharge of his duty; and
- (b) without his own default; and
- (c) by some injury specifically attributable to the nature of his duty,

and his retirement is thereby necessitated or accelerated, such an officer may be granted in respect of such injury, in addition to any pension or gratuity granted to him, an allowance in proportion to his injury of such monthly amount as the President may direct, not exceeding the following:

When his capacity to contribute to his support is—

Slightly impaired	one-twelfth of a month's salary
Impaired	one-sixth of a month's salary
Materially impaired	one-quarter of a month's salary
Totally destroyed	one-third of a month's salary

(2) An officer who is permanently injured while travelling by air in pursuance of official instructions is deemed to have been injured in the circumstances detailed in subregulation (1)(a) and (c) and in any such case, if the

provisions of subregulation (1)(b) are also satisfied the rates of allowances shall be one-eighth, one-quarter, three-eighth and one-half of a month's pay respectively instead of the rates of allowance prescribed in subregulation (1).

(3) The allowance referred to in subregulation (1) together with any pension granted hereunder shall not exceed five-sixth of a month's pay as at the date of injury and for the purpose of this subregulation any exercise of the option conferred by regulation 185(9) shall be ignored in calculating any such pension.

(4) The allowance referred to in subregulation (1) shall be less than the maximum specified in subregulation (3) by such amount as the President thinks reasonable in the following cases, namely—

- (a) where the injured officer has continued to serve for not less than one year after the injury in respect of which he retires;
- (b) where the injured officer is forty-five or more years old at the date of the injury; or
- (c) where the injury is not the sole cause of the retirement.

(5) Before granting an allowance under subregulation (1) the President shall be furnished with the report of a Medical Board, so far as may be possible, on the matters relevant to his decision, and shall be guided by such report.

(6) If an injured officer has not qualified for any pension under this Act but is entitled to a gratuity under regulation 188 he may be granted, in lieu of such gratuity, a further allowance of such monthly sum, not exceeding one-twelfth of so many 480ths of a month's salary as is equal to the number of months he has actually served, as the President may direct.

Pension to dependant of officer killed on duty and gratuity to spouse, etc., of officer who dies in the Service.

- 190.** (1) If an officer dies as a result of injuries received—
- (a) in the actual discharge of his duty;
 - (b) without his own default; and
 - (c) on account of circumstances specifically attributable to the nature of his duty,

while in the service of the Service, the President subject to subregulation (2), may grant, in addition to the grant, if any, made under regulation 189(3)—

- (i) if the deceased officer leaves a spouse, a pension to the spouse, while unmarried, according to such scale as may from time to time be fixed by the President;
- (ii) if the deceased officer leaves a spouse to whom a pension is granted under subparagraph (i) and a child, a pension in respect of each child, until such child attains the age of eighteen years, of an amount not exceeding one-eighth of the pension payable under the subparagraph (i);
- (iii) if the deceased officer leaves a child, but does not leave a spouse or no pension is granted to the spouse, a pension in respect of each child, until such child attains the age of eighteen years, of an amount not exceeding one quarter of the pension payable under subparagraph (i);
- (iv) if the deceased officer leaves a child and a spouse to whom a pension is granted under subparagraph (i), and the spouse subsequently dies, a pension in respect of each child, as from the date of the death of the spouse until such child attains the age of eighteen years, of an amount not exceeding one quarter of the pension payable under subparagraph (i);

- (v) if the deceased officer does not leave a spouse, or if no pension is granted to the spouse and if his mother was wholly or mainly dependent on the deceased officer for her support, a pension to the mother, whilst she is without adequate means of support, of an amount not exceeding the pension which might have been granted to the spouse.

(2) A pension shall not be payable under subregulation (1) at any time in respect of more than six children, and where there are more than six children in respect of whom, but for this subregulation, a pension would be payable, then the amount payable in respect of six children shall be divided equally among all such children during the period in which there are more than six children of pensionable age.

(3) In the case of a pension granted under subregulation (1)(v), if the mother is a widow at the time of the grant of such pension and subsequently remarries, such pension shall cease as from the date of her remarriage; and if it appears to the President at any time that the mother is adequately provided with other means of support, such pension shall cease as from such date as the President may determine.

(4) A pension granted to a female child under subregulation (1) shall cease upon the marriage of such child under the age of eighteen years.

(5) For the purpose of subregulation (1), the word “child” includes—

- (a) a posthumous child;
- (b) a step-child born before the date of the injury and wholly or mainly dependent upon the deceased officer for support; and

(c) an adopted child, adopted in the manner recognised by law, before the date of the injury, and wholly or mainly dependent upon the deceased officer for support.

(6) An officer who dies as a result of injuries received while travelling by air in pursuance of official instructions is deemed to have died in the circumstances mentioned in subregulation (1)(a) and (c).

(7) If an officer dies while in the Service, the President may grant to his spouse or to his children or to any of his dependant a gratuity of an amount not exceeding one year's salary of such officer, or his commuted pension gratuity, if any, whichever is the greater.

(8) Where an officer, to whom either an unreduced pension or a gratuity and reduced pension has been granted, dies after retirement from the Service, and the sums paid or payable to him at his death on account of such unreduced pension, or gratuity and reduced pension as the case may be, are less than the amount of the annual salary enjoyed by him at the date of his retirement, the President may grant to his spouse or to his children or to any of his dependant a gratuity equal to the deficiency.

(9) For the purpose of subregulations (7) and (8)—
“commuted pension gratuity” means the gratuity, if any, calculated in the manner prescribed in regulation 181, which might have been granted to the officer if he had retired immediately before his death in circumstances rendering him eligible to receive a gratuity and reduced pension instead of an unreduced pension;
“dependant” means a spouse, child including an adopted child and a child of the family, parent, grandparent, step-parent, brother, sister, half-brother, half-sister, or a person who stood *in loco parentis* to the deceased officer whether related to him by consanguinity or not.

PART XVI

MISCELLANEOUS PROVISIONS

191. (1) Any communication that an officer wishes to address to the Commissioner shall be forwarded through the senior officer under whom he is serving.

Communication to Commissioner.

(2) The senior officer in forwarding a communication from a junior officer is expected to comment and give advice on the questions dealt with in such communication.

192. An official communication that an officer wishes to address to a Government Official or Department shall be forwarded to the Commissioner through the senior officer under whom he is serving.

Official communication.

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

Orders.

(a) Standing Orders, by the Commissioner;

(b) Service Orders, by the Commissioner;

(c) Divisional or Branch Orders, by officers in charge of such Divisions or Branches.

(2) The Commissioner may appoint a committee to advise him on the issue of Standing Orders.

(3) The appropriate recognised association shall be invited by the Commissioner to nominate representatives to serve on a committee appointed under subregulation (2).

194. The Commissioner may issue Standing Orders to the Service setting out the books and other records to be kept at Divisions, Branches, Stations or other Administrative or Operational Units of the Service, the manner in which such books or other records are to be kept, and how they should be disposed of.

Standing Orders with respect to books and other records.

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

Corrections.

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Police Service

[Subsidiary]

Police Service Regulations

Circulation of orders.

196. (1) The Commissioner shall bring all orders, regulations and other official publications affecting officers to their attention.

(2) The Commissioner shall circulate the *Gazette* for the information of all officers.

Pocket diary.

197. (1) An officer shall have in his possession his pocket diary at all times.

(2) An officer shall record in his pocket diary only all entries in relation to his duties.

Legal aid.

198. Where an officer, who is charged other than by the police with a criminal offence arising out of or in the course of the execution of his duty, seeks legal aid in the conduct of his defence, the Commissioner, if satisfied that the officer acted in good faith in the execution of his duty, shall so report to the Attorney General who shall decide whether the officer shall be granted legal aid.

Change of name.

199. An officer shall inform the Commissioner in writing when he changes his name and shall submit documentary evidence of that fact as soon as possible.

Saluting.

200. (1) An officer of the First Division shall salute his seniors in rank.

(2) An officer of the Second Division shall salute an officer of the First Division.

(3) An officer shall salute such designated persons on such occasions as the Commissioner may direct.

Register of found property.

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

Establishment of Messes.

202. (1) A Mess may be established at any Police Station or Police Training Academy for the use and convenience of the personnel of such Station or Academy.

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

203. The responsibility for the efficient administration of all Messes shall rest with the Commissioner who shall issue instructions for their operation.

Administration
of Messes.

204. (1) Every officer in the First Division shall be a member of the First Division Officers' Mess of which the Commissioner shall be President.

First Division
Officers' Mess.

(2) The entrance fee for membership of the First Division Officers' Mess as well as the annual subscription to be paid for such membership shall be determined at the General Mess Meeting to be held in January of each year.

(3) The Mess shall be managed by a Management Committee that shall consist of a Deputy Commissioner as Chairman, the Mess Secretary as the Secretary and three other members to be elected annually at the General Mess Meeting.

(4) The Management Committee shall appoint a member to the Committee to act in the place of any Committee member who may be absent on duty or leave.

(5) The Commissioner shall appoint a member of the Mess to be Mess Secretary who shall keep all accounts, books and records relating to the management and operation of the Mess, and shall perform such duties as the Management Committee may direct.

(6) No entries shall be made in the Mess Fund Book other than those concerned with the furnishing and general upkeep of the Mess and the payment of attendants.

(7) The annual contribution voted by the Parliament shall be paid into the Mess Fund.

(8) Rules for the general management of the Mess shall be—

- (a) made at the Annual General Mess Meeting or at any other General Mess Meeting called for the purpose;

- (b) subject to the approval of the Commissioner; and
- (c) binding on all members of the Mess.

Inspectors' and
Sergeants'
Mess.

205. (1) Every Inspector and Sergeant shall be a member of the Inspectors' and Sergeants' Mess of which the Commissioner shall be President.

(2) The entrance fee for membership of the Inspectors' and Sergeants' Mess as well as the annual subscription to be paid for such membership shall be determined at the General Mess Meeting to be held in January of each year.

(3) The Mess shall be managed by a Management Committee, the composition of which shall be determined by the appropriate recognised association and the Commissioner.

(4) The Management Committee shall appoint a member to the Committee to act in the place of any Committee member who may be absent on duty or leave.

(5) The Commissioner shall appoint a member of the Mess to be Mess Secretary who shall be Secretary of the Management Committee and shall keep all accounts, books and records relating to the management and operation of the Mess, and shall perform such other duties as the Management Committee may direct.

(6) No entries shall be made in the Mess Fund Book other than those concerned with the furnishing and general up-keep of the Mess and the payment of attendants.

(7) The annual contribution voted by Parliament shall be paid into the Mess Fund.

(8) Rules for the general management of the Mess shall be—

- (a) made at the Annual General Mess Meeting or at any other General Mess Meeting called for the purpose;
- (b) subject to the approval of the Commissioner; and
- (c) binding on all members of the Mess.

206. (1) Every other officer in the Second Division shall be a member of the Other Ranks' Mess of which the Commissioner shall be President.

Other Ranks'
Mess.

(2) The entrance fee for membership of the Other Ranks' Mess as well as the annual subscription to be paid for such membership shall be determined at the General Mess Meeting to be held in January of each year.

(3) The Mess shall be managed by a Management Committee, the composition of which shall be determined by the appropriate recognised association and the Commissioner.

(4) The Management Committee shall appoint a member to the Committee to act in the place of any Committee member who may be absent on duty or leave.

(5) The Commissioner shall appoint a member of the Mess to be Mess Secretary who shall be Secretary of the Management Committee and shall keep all accounts, books and records relating to the management and operation of the Mess, and shall perform such other duties as the Management Committee may direct.

(6) No entries shall be made in the Mess Fund Book other than those concerned with the furnishing and general up-keep of the Mess and the payment of attendants.

(7) The annual contribution voted by Parliament shall be paid into the Mess Fund.

- (8) Rules for the general management of the Mess shall be—
- (a) made at the Annual General Mess Meeting or at any other General Mess Meeting called for the purpose;
 - (b) subject to the approval of the Commissioner; and
 - (c) binding on all members of the Mess.

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Police Service

[Subsidiary]

Police Service Regulations

Sports Club. **207.** (1) There shall be a Police Sports Club of which every officer and trainee shall be a member and of which the Commissioner shall be President.

(2) The Sports Club shall be managed by a committee (“the Management Committee”) to be elected annually by the members and approved by the Commissioner.

(3) The Management Committee shall submit annually to the Commissioner an audited financial statement of the Sports Club.

(4) Members shall pay a subscription to be fixed by the Commissioner after consultation with the Management Committee.

(5) Rules for the general management of the Sports Club shall be—

- (a) made at the Annual General Meeting or at any other general meeting called for the purpose;
- (b) subject to the approval of the Commissioner; and
- (c) binding on all members of the Club.

Police Band. **208.** A member of the Police Band shall not participate as a player at any public or private entertainment except with the written permission of the Commissioner.

Police Band to play with permission. **209.** (1) The Police Band or part of the Band may, with the written permission of the Commissioner, play at any entertainment.

(2) Fees shall be charged for playing at such entertainment at such rates as may be approved by the Commissioner.

(3) Fees paid under subregulation (2) shall be paid in advance and eighty per cent of it shall be divided amongst members of the Band playing at such entertainment in such proportion as the Commissioner shall direct and the remainder shall be paid into the Award Fund.

Application of Regulations. **210.** These Regulations shall apply to every officer, whether the officer is appointed to an office in the Service for an indeterminate period, on probation or on contract.

Attach recent
passport size
photograph

APPENDIX A

Regulations 4(1)
and 6(1).



TRINIDAD AND TOBAGO POLICE SERVICE
APPLICATION FOR TRAINEE/BAND APPRENTICE

1. SURNAME FIRST NAMES
Other names known by (if any)
2. Present Address
3. Home Address (if different from 2)
4. Full Postal Address
5. Telephone Number
6. State full address or addresses at which you have resided over the last five (5) years:

Address	Time	
	From	To

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Police Service Regulations

- 7. Date of Birth
- 8. Citizenship
- 9. (a) Father's Name Nationality
- (b) Mother's Name Nationality
- 10. What is:
 - (a) Your Occupation
 - (b) Your Father's Occupation
 - (c) Father's Present Address
 - (d) Your Mother's Occupation
 - (e) Mother's Present Address
- 11. State below, in order of date, the schools you have attended:

Name of School	DATE OF		Age of Leaving	Particulars of Scholarships, etc., and whether School Prefect, etc.
	Entry	Leaving		

- 12. Academic or other qualifications including musical ability, certificates, etc. (G.C.E., "O" and "A" Levels, etc.)

.....

.....
- 13. Languages spoken

14. Give details of your employment since leaving school:

Name and address of employer	Capacity in which employed	DATE EMPLOYED		Reason for leaving
		From	To	

15. (a) Are you the holder of a driving permit?

(b) If so, state date of issue

(c) Types and classes of vehicles you are permitted to drive:

.....

(d) Driving Permit Number

16. Give details of any special skills

.....

17. Married/Single If married, state Spouse's Name and Address:

.....

18. Number and ages of children

19. State your height (in bare feet) in (cm) and weight in (kg):

.....

20. Details of any sports or other extra curricular activities in which you take part, and at what level:

.....

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Police Service Regulations

21. Have you ever been charged with or summoned before a Court for any offence?

.....

If so, give particulars of offence, date, place, Court and result:

.....

.....

.....

22. Give names and addresses of two citizens (not relatives) who have known you for not less than five (5) years, and to whom reference may be made:

Name	Address	Occupation	PERIOD OF KNOWLEDGE OF CANDIDATE	
			From	To

23. Attach at least (2) testimonials from persons other than those mentioned at 22.

I hereby declare that all the above statements made by me are true and correct to the best of my knowledge and belief.

Date Signature of Applicant

N.B.: Applications must be submitted to the Officer in Charge of the Police Station nearest to which the applicant resides.

APPENDIX B

Regulation 13.

TRINIDAD AND TOBAGO POLICE SERVICE
 PROBATIONER'S ASSESSMENT

Number: Date Enlisted:

Name:

ASSESSMENT

	Unsatis- factory	Improve- ment Required	Satis- factory	Above Average	Outstanding
1. Has he/she shown sustained interest in his/her duties?					
2. Industry: Does he/she do his/her full share of work?					
3. Performance: Has his/her work been generally of good standard?					
4. Is he/she clear and precise in his/her speech and writing?					
5. Has he/she been reasonable in dealing with reports and applying the law?					
6. Has he/she been found wanting in his/her behaviour towards the public?					
7. Is he/she amendable to discipline?					
8. Is his/her appearance and turnout always of good standard?					
9. Can he/she be depended upon to perform duties within his/her competence without direct supervision?					
10. Punctuality.					
11. Absent from duty.					
12. Does he/she have personal problems, domestic, financial or otherwise?					

APPENDIX C

Regulation 121.

FIRST DIVISION OFFICERS' UNIFORM
AND ORDERS OF DRESS

Badges of Rank—Silver-plated, Service pattern on dark blue background.

Belt, Sam Brown—with pouch and holster in brown leather with silver-plated fittings.

Beret—Dark blue cloth, Officers' pattern, silver-plated Service badge at left front.

Boots and Shoes—

- (a) Black Wellington parade;
- (b) Black top riding boots;
- (c) Brown leather shoes, plain toe-cap;
- (d) Black patent leather shoes, no toe-cap;
- (e) Black leather shoes, plain toe-cap for female police officers.

Bush Tunic—Khaki garnaline, single breasted, four buttons and eyelets button stand cut on, open shirt collar with miniature Service Badges or Gorgets, two breast pockets, with 1¹/₂ inch pleat down centre, three-pointed flaps, two Service pattern bottom pockets, whole back with vent to waist seam, separate self-cloth belt, short sleeves 1¹/₂ inch permanent turn-ups, shoulder straps extending to collar stand, badges of rank on shoulder straps.

Buttons—Silver-plated with Service badge.

Cross Belt and Pouch—Black Morocco leather as worn by Rifle Regiments, with silver-plated chains, and silver-plated Service badge in front of belt and in centre of pouch.

Cummerbund, Mess—Dark blue silk, 5¹/₂ inches in front, fitted with dark black leather strap and buckle.

Cap—Dark blue Regulation for female police officers.

Forage Cap—Guards' pattern, dark blue, black oak leaf lace band, silver-plated Service badge in front, and black patent leather chinstrap. Two rows of oak leaf silver lace on peak for the Commissioner; one row of oak leaf silver lace on peak for the Deputy Commissioner and Assistant Commissioner; ³/₄ inch silver wire lace on black patent leather peak for Senior Superintendent and Superintendent; plain black patent leather peak for Assistant Superintendent.

Gloves—Brown leather.

Gloves—White.

Gorgetts—

Commissioner: Silver embroidered oak leaf with three acorns down centre of dark blue cloth. Size: Length— $3\frac{3}{4}$ inches to point; Width: $1\frac{3}{4}$ inches; one small silver-plated Service button.

Deputy Commissioner: As above, but silver ornament of twisted $\frac{1}{4}$ inch silver braid.

Assistant Commissioner: As above, but silver ornament of $\frac{1}{4}$ inch tracing braid.

*Hose tops—*Dark blue.

*Lanyard and Whistle—*Dark blue silk cord, 36 inches double, with Metropolitan Police pattern whistle.

*Mess Jacket—*Plain white Eton jacket with miniature silver-plated Service badge on dark blue mount on each lapel, dark blue detachable shoulder straps, miniature silver-plated badges of rank.

*Overalls—*Dark blue cloth with $1\frac{3}{4}$ inches black overleaf braid down sides, black leather tabs to button or buckle under Wellington boots.

*Riding Breaches—*Dark blue cloth with black buckskin strappings and $1\frac{3}{4}$ inches black oak leaf braid down sides, split falls, cross pockets, laced, boot button at back, seam across the knee.

*Satchels—*Black and brown leather for female police officers.

*Sashes—*Dark blue with tassels.

*Shirt—*White, soft.

*Shirt—*White, hard front evening, detached collar, black studs and links with silver-plated border.

*Shirt—*White, soft evening, attached or detached double collar, polo shape, plain white buttons.

*Shorts—*Khaki Garnaline, fly front, side pockets, waistband all round, $3\frac{3}{4}$ inches deep with four pleats.

*Skirts—*Dark blue serge.

*Skirts—*Khaki Garberdine.

*Skirts—*Khaki Garnaline.

Socks—Dark blue for service dress, black for Mess kit.

Stockings—Khaki.

Stockings—Black and flesh colour (ladies).

Spurs, box—Silver-plated, swan neck.

Spurs, riding—Short-necked, silver-plated with chains, black leather guards and straps.

Sword belt and Slings—In black Morocco leather, black web belt with silver-plated buckles.

Sword—Infantry pattern—hilt and scabbard to be plated.

Sword Knot—Silver strap and acorn.

Tie—Black evening bow, square ends.

Tie—Silk poplin, dark blue, open ends, length 45 inches.

Trousers (Mess)—Black cloth, modified to pattern of Regulation Navy Mess Kit trousers, black oak leaf braid down sides.

Trousers (Slacks)—Khaki Garnaline with two side pockets.

Tunic, White Drill—Shoulder straps of the same material to fasten with one small Service button, stand-up collar to fasten with two hooks, five large Service buttons in front, outside pockets on breast of coat with flaps to button with small Service buttons 1½ inch fold of cloth down to the centre of the breast pockets, V-shaped cuffs, sides of tunic to be split 4 inches, badges of rank on shoulder straps; gorgets, dark blue detachable shoulder straps and lanyards for the Commissioner, Deputy Commissioner and Assistant Commissioner and miniature Service Badges for other First Division Officers.

Tunic, Service Pattern—Khaki gaberdine (dark blue serge for female police officers), with breast and side pockets, Service badge on upper part of lapel, four large Service buttons in front, small Service buttons for shoulder straps, breast pockets and side pockets, badges of rank on shoulder straps, self-cloth belt with silver-plated buckle, detachable silver-plated waist hooks; gorgets for the Commissioner, Deputy Commissioner and Assistant Commissioner.

Waterproof—Khaki, regulation pattern.

ORDERS OF DRESS

(i) *Full Dress:*

Forage Cap, white tunic, cross belt and pouch, sword and plated scabbard, sword belt and slings, silver sword knot, medals and/or decorations (if any), overalls, Wellington boots, box spurs, white gloves; gorgets, dark blue detachable shoulder straps, lanyards and sashes for the Commissioner, Deputy Commissioner, and Assistant Commissioner. Dark blue Service pattern Tunic belt and skirt, black stockings, black leather shoes, white soft shirt and navy blue tie for female police officers.

When Mounted: Dark blue riding breeches, black top boots, spurs and chains, black leather guards.

(ii) *Service Dress:*

Forage Cap, khaki gaberdine service tunic, white shirt, blue tie, Sam Browne belt or self-cloth belt, khaki gaberdine trousers, blue socks, brown leather shoes, lanyard and whistle; gorgets for the Commissioner, Deputy Commissioner and Assistant Commissioner. Khaki gaberdine skirt and flesh colour stocking for female police officers.

When Mounted: Dark blue riding breeches, black top boots, spurs and chains, black leather guards.

(iii) *Patrol Dress:*

Forage Cap or beret, khaki garnaline bush tunic or khaki shirt with self-cloth belt or stable belt and silver-plated buckle or Sam Browne belt, khaki garnaline trousers, brown shoes, lanyard and whistle. Khaki garnaline skirt and flesh colour stockings for female police officers.

When Mounted: Dark blue riding breeches, black top boots, spurs and chains, black leather guards.

(iv) *Mess Dress:*

Forage Caps, white Mess Jacket, cummerbund, miniature medals, overalls or Mess trousers, black socks, black Wellington boots with box spurs or black patent leather shoes, hard front or soft evening shirt, black bow tie and white gloves. Dark blue regulation cap, dark blue serge skirt, black stockings and black leather shoes for female police officers.

(v) *Tactical Dress:*

Long sleeve khaki garnaline shirt, with "Police" on the back, khaki garnaline pants with cargo pockets, nylon belt with hook type buckle, black military boots or operational type, peak cap with "Police" on front, the name of the tactical unit to be worn on top right of shirt pocket.

APPENDIX D

Regulation 121.

SECOND DIVISION OFFICERS' UNIFORM
AND ORDERS OF DRESS

INSPECTORS

Badges of Rank—Silver-plated bars 1.6 inches by 0.3 inches.

Belt, Sam Browne—With pouch and holster, in brown leather with silver-plated fittings.

Boots and Shoes—

- (a) Black Wellington parade;
- (b) Black top riding boots;
- (c) Brown leather shoes, plain toe-cap;
- (d) Black patent leather shoes, no toe-cap;
- (e) Black leather shoes, plain toe-cap for female police officers.

Bush Tunic—Khaki garmaline drill, single breasted, four buttons and eyelets, button stand out on, open shirt collar, with miniature Service badges, two breast pockets with 1½ inch pleat down centre, three pointed flaps, two service pattern bottom pockets, whole back with vent to waist seam; separate self-cloth belt, short sleeves, 1½ inches permanent turn-ups, shoulder straps extending to collar stand, badges of rank on shoulder straps.

Buttons—Silver-plated with Service badge.

Cross Belt and Pouch—Black Morocco leather as sworn by Rifle Regiment, with silver-plated chains, and silver-plated Service badge in front of belt and in centre of pouch.

Cummerbund—Dark blue silk, 5½ inches in front, fitted with black leather strap and buckle.

Cap—Dark blue regulation for female police officers.

Forage Cap—Guards' pattern, dark blue, black oak leaf lace band, silver-plated Service badge in front, black patent leather, chinstrap. Two rows of oak leaf silver lace on peak for the Commissioner; one row of oak leaf silver lace on peak for the Deputy Commissioner and Assistant Commissioner; ¾ inch silver wire lace on black patent leather peak for Senior Superintendent and Superintendent; plain black patent leather peak for Assistant Superintendent.

Gloves—White.

Helmet—White—Wolseley pattern, cork, with 8-fold white puggaree, silver-plated spike and chain, silver-plated Service badge in front; 4-inch hackle of blue and white vulture feathers, white inside, to be worn at the left side secured by puggaree.

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Hose tops—Dark blue.

Lanyard and Whistle—Dark blue silk cord, 36 inches double, with Metropolitan Police pattern whistle.

Mess Jacket—White drill shell jacket with miniature silver-plated Service badge on dark blue cloth mount on each lapel, plain shoulder straps, and miniature silver-plated badges of rank.

Overalls—Dark blue cloth with 1³/₄ inch black oak leaf braid down sides, black leather tabs to button or buckle under Wellington boots.

Riding Breeches—Dark blue with self strappings.

Satchels—Black leather for female police officers.

Shirt—White, soft evenings, attached or detached double collar, polo shape, plain white buttons.

Shorts—Khaki garnaline, fly front, side pockets, waistband all round 3³/₄ inches deep with four pleats.

Skirts—Dark blue Serge.

Skirts—Khaki garberdine

Socks—Dark blue for Service dress, black for Mess kit.

Spurs, Riding—Short-necked, silver-plated with chains, black leather guards and straps.

Stockings—Khaki.

Stockings—Black and flesh colour (ladies).

Sword Belt and Slings—In black Morocco leather, black web belt with silver-plated buckles.

Sword—Infantry pattern; hilt and scabbard to be plated.

Sword Knot—Silver strap and acorn.

Tie—Silk poplin, dark blue, open ends, length 45 inches.

Trousers (Mess)—Black cloth, modified to pattern of Regulation Navy Mess kit trousers, black oak leaf braid down sides.

Trousers (Slacks)—Khaki garnaline with two side pockets.

Trousers (Slacks)—Khaki gaberdine with two side pockets.

Tunic, Service pattern—Khaki gaberdine (Dark blue serge for female police officers), with breast and side pockets. Service badge on upper part of lapel, four large Service buttons in front, small Service buttons for shoulder straps, breast pockets and side pockets, badges of rank on shoulder straps; self-cloth belt with silver-plated buckle, detachable silver-plated waist hook.

Tunic, White Drill—Shoulder straps of the same material to fasten with one small Service button, stand-up collar to fasten with two hooks five large Service buttons in front, outside pocket on breast of coat with flaps to button with small Service buttons, a 1½ inch fold of cloth down the centre of the breast pockets, V-shaped cuffs, sides of tunic to be split 4 inches, badges of rank on shoulder straps.

Waterproof —Khaki regulation pattern.

ORDERS OF DRESS

(i) *Review Order:*

White helmet, white tunic, cross belt and pouch, sword and plated scabbard, sword belt and slings, silver sword knot, medals and/or decorations (if any), overalls, Wellington boots, white gloves, dark blue regulation cap, service pattern tunic and skirt, White shirt, dark blue tie, black stockings and black leather shoes for female police officers.

When Mounted: Dark blue riding breeches, black top boots, spurs, and chains, black leather guards.

(ii) *Service Dress:*

Forage cap, khaki gaberdine service tunic, white collar and shirt, blue tie, Sam Browne belt with one strap or self-cloth belt, khaki trousers, blue socks, brown leather shoes, lanyard and whistle. Khaki gaberdine skirt and flesh colour stockings for female police officers.

When Mounted: Dark blue riding breeches, black top boots, spurs, black leather guards.

(iii) *Patrol Dress:*

Forage cap, khaki garnaline bush tunic with self-cloth belt and silver-plated buckle for Sam Browne with one strap, khaki garnaline trousers, brown shoes, lanyard and whistle. Khaki garnaline skirt and flesh colour stockings for female police officers.

When Mounted: Dark blue riding breeches, black stop boots, spurs, black leather guards.

(iv) *Mess Dress:*

Forage cap, white Mess jacket, cummerbunds, miniature medals, Mess trousers, black socks, black patent leather shoes, soft evening shirt, black bow tie and dark blue regulation cap. Dark blue serge skirt, black stockings and black leather shoe for female police officers.

(v) *Tactical Dress:*

Long sleeve khaki garmaline shirt, with "Police" on the back, khaki garmaline pants with cargo pockets, nylon belt with hook type buckle, black military boots or operational type, peak cap with "Police" on front, the name of the tactical unit to be worn on top right of shirt pocket.

SERGEANTS, CORPORALS AND CONSTABLES

Aiguillette—Blue, white metal ends.

Badges of Rank—Silver lace.

Badges of Appointment—As above.

Badges for Skill—As above.

Belt—Waist—White buff, "ER" cypher, "Trinidad Police", adjustable buckle and claps in white metal.

Belt—Waist—Brown leather

Belt—Waist—Black leather with silver-plated buckle for female police officers.

Boots:

(a) Ankle, black leather;

(b) Jack boots, black leather.

Bush Tunic—Dark blue garmaline, single breasted, four buttons and eyelets, button stand cut on, open shirt collar, two breast pockets 1½-inch pleats down centre, three pointed flaps, two service pattern bottom pockets, whole back with vent to waist seam, short sleeves 1½-inch permanent turn-ups, shoulder straps extending to collar stand for female police officers.

Buttons—White metal, with Service badge.

Cane—Regulation, 2½ feet long by 1½ inches in circumference. Police badge on white metal head.

Canvass Shoes—White.

Canvass Shoes—Black.

Cap—Blue, Navy pattern with ribbon "Trinidad and Tobago Police Service" in gold letters.

Cap—Dark blue regulation for female police officers.

Cap—White, duck, Navy pattern with ribbon "Trinidad and Tobago Police Service" in gold letters.

Cloak—Black waterproof, regulation pattern with sleeves.

Crowns—White metal.

Crowns—Silver lace.

Duty Badge—Blue and white.

Forage Cap—Universal pattern indigo blue cloth and small Service badge in front.

Forage Cap—As above but with white cord in crown seam.

Girdle—As used by Lancer Regiments.

Helmet—White—Wolseley pattern, cork, leather chinstrap, and large Service badge in front. Spike and chain for Review Order. White puggaree for the Band.

Helmet—Khaki—Wolseley pattern, cork, leather chinstrap, with large Service badge in front.

Hooks for belt—Brass.

Hose tops—Blue.

Jersey—Blue with word “Police”.

Jumper—Serge—Navy pattern, red piping around armholes.

Jumper—White Drill—Navy pattern, detachable blue and white collar, blue and white cuffs.

Kit Box—Wooden, Regulation.

Knife—Claps.

Lanyard—White, for knife.

Lanyard and Whistle—Dark blue silk cord, 36 inches double with Metropolitan Police pattern whistle.

Neckerchief—Black Silk.

Numerals—White metal.

Plastron—Tunic as worn by Lancer Regiments.

Puttees—

(a) Dark blue;

(b) Khaki.

P.T. Uniform—White for female police officers.

Riding Breeches—Dark blue Bedford cord with strapping of same material.

Riding Breeches—As above with white mohair braid 1¹/₂-inch wide down seams.

Riding Whip—3 feet long with leather handle.

Satches—Black leather for female police officers.

Shirts—Khaki.

Shirts—Flannel—Navy Pattern.

Shirts—Grey Flannelette.

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Police Service

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Police Service Regulations

Shoes—Black leather for female police officers.

Shorts—Khaki drill with loops for belts, truncheon and side pockets.

Shorts—White drill navy pattern.

Shoulder Chains—Steel ring.

Skirts—Dark blue garnaline for female police officers.

Skirts—Dark blue Serge for female police officers.

Socks—Dark blue for female police officers.

Socks—White for female police officers.

Spurs—Jack—Nickel-plated with straps complete.

Stick—Walking.

Stockings—Black for female police officers.

Sword Belt and Slings—White buff with white metal fittings, Cavalry pattern.

Sword—Cavalry pattern, steel hilt and scabbard.

Sword Knot—Buff Cavalry.

Trousers—Serge—With truncheon and side pockets.

Trousers—Serge—With 1/2 inch white strip down seams.

Truncheon—Long with leather strap.

Truncheon—Short, with leather strap.

Tunic—White Drill—Shoulder straps of the same material with letters “T.T.P.S.” in white metal one inch from the seam and to fasten with one small Service button, stand-up collar to fasten with two hooks, five large Service buttons in front, outside pockets on breast of coat with flaps to button with small Service buttons, sides of tunic to be split four inches, loops for duty badge on left sleeve.

Tunic—White Drill—As above but with pointed cuffs 5 1/2 inches deep.

Tunic—Serge—Similar to Tunic, white.

Tunic—Serge—Similar to Tunic, white but with shoulder straps and Austrian knot on cuffs of white bubular braid, white piping along back arm of sleeve and back of tunic, blue and white epaulettes.

Whistle—Brass, nickel-plated, with chain.

Whistle Cord—Black.

Whistle Cord—White.

ORDERS OF DRESS

(i) *Review Order:*

White helmet with spike and chain, white tunic, white waist belt, pouch, frog, blue trousers, ankle boots, rifle and bayonet when ordered or sword for Mounted Police. Dark blue regulation cap and skirt black stockings and black leather shoes for female police officers.

Mounted Branch, when mounted: White braided riding breeches, blue pastron, lancer girdle, aiguillettes and shoulder chains, Jack boots and spurs, sword lance with blue and white pennon when ordered.

(ii) *Marching Order:*

White helmet with leather chin-strap or forage cap, blue tunic, leather waist belt, pouch, frog, rifle and bayonet or sword for Mounted Branch (unless otherwise ordered), trousers, ankle boots and cloak.

Mounted Branch, when mounted: Riding breeches, Jack boots or puttees as ordered, sword, cape on saddle, revolver and pouch if ordered.

(iii) *Drill Order:*

White helmet and leather chinstrap or forage cap, grey shirt, long trousers, leather waist belt and ankle boots. Frog, sword (for Mounted Branch) or rifle and bayonet, unless otherwise ordered.

Dark blue regulation cap, dark blue garnaline bush tunic and skirt, black leather belt, black stockings and black leather shoes for female police officers.

Mounted Branch, when mounted: As in Marching Order, but with grey shirt.

(iv) *Patrol Order:*

No. 1—White helmet with leather chinstrap, white tunic, blue and white waist belt, truncheon, blue trousers, and ankle boots.

No. 2—White helmet with chinstrap, grey shirt, brown leather belt, truncheon, long trousers, and ankle boots.

No. 3—Blue forage cap, grey shirt, brown leather belt, truncheon, long trousers, ankle boots.

No. 4—Blue forage cap, blue tunic, brown leather belt, truncheon, blue trousers, ankle boots.

Waterproof will be worn as ordered.

Patrol Order for female police officers – Similar to Drill Order.

Mounted Branch, when mounted: Riding breeches, puttees and spurs, or Jack boots as ordered, rolled cap on saddle.

**POLICE SERVICE (RECRUITMENT OF SPECIAL
RESERVE POLICE) REGULATIONS**

ARRANGEMENT OF REGULATIONS

REGULATION

1. Citation.
2. Interpretation.
3. Appointment of members of the Special Reserve Police as constables.
4. Eligibility for drivers of the Special Reserve Police as constables.
5. Probationary period for member of the Special Reserve Police appointed as a constable.
6. Application of Police Service Regulations to apply upon recruitment.

[Subsidiary]

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**POLICE SERVICE (RECRUITMENT OF SPECIAL
RESERVE POLICE) REGULATIONS**

made under section 78(2)

Citation.

1. These Regulations may be cited as the Police Service (Recruitment of Special Reserve Police) Regulations.

Interpretation.

2. In these Regulations—

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“Special Reserve Police” means the supplemental body of Police established under the Special Reserve Police Act; “SRP 1,000 Project” means the project initiated by the Ministry of National Security in 2003 for the purpose of hiring 1,000 Special Reserve Police officers.

Appointment of members of the Special Reserve Police as constables. Sub. Leg.

3. (1) Notwithstanding regulation 3 of the Police Service Regulations—

(a) a person who was recruited under the SRP 1,000 Project, and has been a member of the Special Reserve Police in full-time service for a continuous period of five years for the period 2003–2008; and

(b) a person who—

(i) was not recruited under the SRP 1,000 Project;

(ii) has been a member of the Special Reserve Police; and

(iii) on 31st December 2006, was in full-time service for a continuous period of two years,

shall be eligible for appointment as a constable by the Commissioner.

(2) A candidate for appointment under subregulation (1) shall—

(a) possess a satisfactory record of good conduct and performance as a member of the Special Reserve Police;

- (b) be required to pass a drug test administered by a Government Medical Officer nominated for that purpose; and
- (c) be required to pass a medical examination, including a psychological evaluation conducted by a Government Medical Officer nominated for that purpose.

(3) A candidate for appointment under subregulation (1) shall not be required to meet the academic qualifications and the physical and age requirements for entry into the Police Service as prescribed under regulation 3(1) of the Police Service Regulations.

Sub. Leg.

4. (1) Notwithstanding regulation 3 of the Police Service Regulations, a person who was recruited in June, 2000 as a driver in the Special Reserve Police shall be eligible for appointment as a constable by the Commissioner.

Eligibility for drivers of the Special Reserve Police as constables.
Sub. Leg.

(2) A candidate for appointment under subregulation (1) shall—

- (a) possess a satisfactory record of good conduct and performance as a member of the Special Reserve Police;
- (b) be required to pass a drug test administered by a Government Medical Officer nominated for that purpose; and
- (c) be required to pass a medical examination, including a psychological evaluation conducted by a Government Medical Officer nominated for that purpose.

(3) A candidate for appointment under subregulation (1) shall not be required to meet the academic qualifications and the physical and age requirements for entry into the Police Service as prescribed under regulation 3(1) of the Police Service Regulations.

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Police Service

[Subsidiary]

Police Service (Recruitment of Special Reserve Police) Regulations

Probationary period for member of the Special Reserve Police appointed as a constable.

5. The probationary period of a member of the Special Reserve Police who has been appointed as a constable shall be one year.

Application of Police Service Regulations to apply upon recruitment. Sub. Leg.

6. For the avoidance of doubt, members of the Special Reserve Police recruited as constables under these Regulations shall be subject to the provisions of the Police Service Regulations.