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**CHAPTER 391**  
**POLICE ACT**

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• Act • Subsidiary Legislation •

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**ACT**

Act No. 48 of 1947

**Amended by**

Act No. 9 of 1949	The Constitution
Act No. 8 of 1950	SRO 38 of 1980
Act No. 32 of 1951	Act No. 20 of 1987
Act No. 6 of 1954	Act No. 23 of 1988
Act No. 11 of 1956	Act No. 44 of 1988
Act No. 27 of 1956	Act No. 25 of 1989
SRO 16 of 1957	Act No. 8 of 1992
Act No. 19 of 1957	Act No. 20 of 1992
Act No. 3 of 1959	Act No. 39 of 1992
Act No. 5 of 1960	Act No. 74 of 1992
The Court Order, 1967	Act No. 20 of 1993
Act No. (O) 2 of 1969	SRO 27 of 1993
Act No. 3 of 1969	Act No. 16 of 1998
SRO 54 of 1969	Act No. 6 of 2000
Act No. 21 of 1971	Act No. 12 of 2005
Act No. 3 of 1978	

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**CHAPTER 391**  
**POLICE ACT**
**An Act to make provision for the establishment of a Police Force, and for matters incidental thereto.**

[Act No. 48 of 1947 amended by Act No. 9 of 1949, Act No. 8 of 1950, Act No. 32 of 1951, Act No. 6 of 1954, Act No. 11 of 1956, Act No. 27 of 1956, SRO 16 of 1957, Act No. 19 of 1957, Act No. 3 of 1959, Act No. 5 of 1960, The Court Order, 1967, Act No. (O) 2 of 1969, Act No. 3 of 1969, SRO 54 of 1969, Act No. 21 of 1971, Act No. 3 of 1978, The Constitution, SRO 38 of 1980, Act No. 20 of 1987, Act No. 23 of 1988, Act No. 44 of 1988, Act No. 25 of 1989, Act No. 8 of 1992, Act No. 20 of 1992, Act No. 39 of 1992, Act No. 74 of 1992, SRO 20 of 1993, SRO 27 of 1993, Act No. 16 of 1998, Act No. 6 of 2000, Act No. 12 of 2005.]

[Date of commencement: 1st January, 1949.]

[SRO 108 of 1948.]

*Preliminary***1. Short title**

This Act may be cited as the Police Act.

[Section 1 amended by Act No. 74 of 1992 and Act No. 6 of 2000.]

**2. Interpretation**

In this Act, unless the context otherwise requires—

“**Commissioner**” means the Commissioner of Police;

“**constable**” includes any person recruited for service in the Police Force whether or not that person—

- (a) is serving on probation,
- (b) is permanently employed,

but does not include an officer or non-commissioned officer;

[Definition of “constable” substituted by Act No. 8 of 1992.]

“**Court**” means the High Court;

“**Force**” means the whole body of men employed under this Act, with the exception of rural constables;

“**member of the Force**” includes any officer, non-commissioned officer and constable;

“**non-commissioned officer**” includes any inspector, station sergeant, sergeant and corporal;

“**officer**” includes the Commissioner of Police, the Deputy Commissioner of Police, the Assistant Commissioner of Police, a Superintendent and an Assistant Superintendent;

“**pay**” includes good conduct pay, pay received as a member of the Kingstown Fire Brigade, and the personal, detective, house and lodging allowances (including the estimated value of free quarters) which a non-commissioned officer or constable is receiving at the time when he ceases to be a member of the Force:

Provided that the amount to be allowed for house and lodging allowance shall not exceed one-sixth of the pay of such non-commissioned officer or constable;

“**service**”, for the purpose of pension, includes the probationary period served by a constable and any period of training undertaken by him during that period.

[Definition of “service” inserted by Act No. 8 of 1992.]

**PART I***Formation, Appointment, etc.***3. Establishment of Force**

(1) There shall be established and maintained in and for Saint Vincent and the Grenadines a Police Force, to be styled the Royal Saint Vincent and the Grenadines

Police Force, which shall consist of a Commissioner of Police and such number of officers, non-commissioned officers and constables as the Governor-General may direct.

(2) All members of the Saint Vincent Police Force employed on the 1st January, 1949, shall be deemed to be employed under this Act.

(3) Notwithstanding the provisions of any law to the contrary, women shall be eligible for appointment as members of the Force and, subject to the provisions of subsection (4) and of any order made there under, the provisions of this Act and of any regulations made hereunder shall apply, and shall be deemed always to have applied, to female members of the Force.

(4) The Governor-General may, by order, provide that any of the provisions of this Act shall not apply to all or any female member of the Force. An order under this subsection shall have no force or effect until it has been approved by resolution of the House of Assembly.

#### **4. Appointments**

Appointment of all members of the Force shall be made in accordance with the provisions of the Constitution.

#### **5. Command**

There shall be a Commissioner of Police who shall have command and superintendence of the Force and who shall be responsible to the Governor-General for the efficient administration and government of the Force and for the proper expenditure of all public monies appropriated for the service thereof.

#### **6. Qualifications for enlistment**

(1) No person shall be enlisted in the Force as a non-commissioned officer or constable unless—

- (a) he has attained the age of eighteen but has not (unless the Commissioner in any special case otherwise determines) reached the age of thirty;
- (b) he has attained the standards of physical fitness and height and chest measurements as prescribed by regulations made under this Act:  
Provided that in the case of an appointment to any non-commissioned rank any of these conditions may be dispensed with;
- (c) he passes such educational and general knowledge tests as may be required by the Commissioner; and
- (d) his personal record and character are satisfactory.

(2) Any candidate who, with a view to enlistment in the Force, knowingly makes any false statement or produces any birth certificate or testimonial which is false in any material particular is guilty of an offence and liable to a fine of two thousand five hundred dollars and to imprisonment for six months.

[Section 6 amended by Act No. 12 of 2005.]

#### **7. Terms of enlistment**

(1) Initial enlistment in the Force shall be for a period of eighteen months during which period a non-commissioned officer or constable shall be deemed to be on

probation. At the end of the probationary period every non-commissioned officer or constable, if of good character and considered qualified for permanent enlistment in the Force, shall be so enlisted:

Provided that if the non-commissioned officer or constable does not intend to be permanently enlisted he shall give six months notice to the Commissioner of his intention not to be permanently enlisted.

(2) If at any time during the period of probation a non-commissioned officer or constable shall be found to be wanting in character or intelligence or otherwise unfitted to be a member of the Force his services may be terminated by the Commissioner.

(3) A non-commissioned officer or constable may, with the consent of the Commissioner, withdraw himself from the Force at any time by giving three months notice in writing of his intention to do so:

Provided that the Commissioner may dispense with this condition in any case if he sees fit.

(4) Any non-commissioned officer or constable may be discharged by the Commissioner—

- (a) if the Commissioner considers that he is unlikely to become or has ceased to be an efficient police officer;
- (b) if he is certified by a Government medical officer to be mentally or physically unfit for further service in the Force; or
- (c) on reduction of the establishment of the Force:

Provided that no such non-commissioned officer or constable may be discharged under the provisions of this subsection until he has had an opportunity to appeal to the Public Service Board of Appeal:

Provided further that any such non-commissioned officer or constable discharged under paragraph (a) or (c) shall be entitled to three months notice:

Provided further that where a non-commissioned officer or constable discharged under any of the provisions of this subsection was, at the time of his discharge, eligible for a pension, gratuity or other like allowance under the provisions of this Act, the Governor-General may grant to such non-commissioned officer or constable such pension, gratuity or other allowance.

## **8. Oath**

(1) Every person, on first appointment to the Force and before entering his duties, shall take the following oath—

“I, A. B., do swear that I will well and truly serve Our Sovereign Lady the Queen as a member of the Police Force in Saint Vincent and the Grenadines without favour or affection, malice or ill will; and that I will cause Her Majesty’s peace to be preserved, and will prevent, to the utmost of my power, offences against the same, and that, during any time that I do or may hereafter hold any appointment in the Police Force, I will to the best of my knowledge and skill discharge all the duties thereof faithfully according to law. So help me God!”

(2) The oath under subsection (1) shall be administered by a justice of the peace.

## **9. Equipment**

(1) Every member of the Force shall be clothed, armed and equipped in such manner as may be prescribed by regulations made under this Act and, in the case of non-commissioned officers and constables, at the public expense.

(2) Any article supplied to any member of the Force at the public expense shall be held by such person at the order or disposal of the Commissioner.

#### **10. Medical attendance and funeral expenses**

(1) All members of the Force up to and including the rank of inspector shall be entitled to free medical and surgical treatment subject to such conditions as are prescribed by regulations made under this Act.

(2) The funeral of every non-commissioned officer or constable who dies while serving with the Force shall be at the public expense.

(3) All members of the Force who receive any bodily injury in the execution of their duties shall receive medical and surgical treatment at the public expense.

### PART II

#### *Powers and Duties*

#### **11. Powers of members of the Force**

Every member of the Force shall have throughout Saint Vincent and the Grenadines and in the several bays, creeks and inlets thereof, and also on board of any vessel in which any indictable offence, or any offence punishable on summary conviction is or may be suspected to be committed, all such authorities, privileges, protection and advantages, and be liable to all such duties and responsibilities as any constable duly appointed now has or is subject or liable to, or may hereafter have or be subject or liable to, either by the common law of England or by virtue of any law which now is or which may hereafter be in force in Saint Vincent and the Grenadines.

#### **12. Duties of members of the Force**

It shall be the duty of the Force to take lawful measures for—

- (a) preserving the public peace;
- (b) preventing and detecting crimes and offences;
- (c) apprehending and causing to be apprehended persons who shall have committed, or shall be charged with or suspected of having committed or having abetted the commission of, or being about to commit, any crime or offence;
- (d) regulating processions and assemblies in public places;
- (e) regulating the traffic upon public thoroughfares and removing obstructions therefrom;
- (f) preserving order and decorum in public places and places of public resort, at public meetings, and in assemblies for public amusements: for which purpose each and every member of the Force when on duty shall have free admission to all such meetings and assemblies while open to any of the public;

- (g) assisting in carrying out the revenue, excise, quarantine, emigration and immigration laws;
- (h) assisting in preserving order in the different ports and harbours in Saint Vincent and the Grenadines; and in enforcing the port regulations therein;
- (i) executing summonses, subpoenas, warrants, commitments, and other criminal or quasi-criminal process issued by the several magistrates, justices of the peace and coroners on complaints or proceedings before them;
- (j) exhibiting informations and conducting prosecutions for crimes and offences;
- (k) the protection of unclaimed and lost property, and finding the owners thereof;
- (l) taking charge of and impounding any animals found straying in any public place;
- (m) assisting in the protection of life and property at fires;
- (n) protecting public property from loss or injury;
- (o) attending the High Court and magistrates' courts and keeping order therein;
- (p) escorting prisoners to and from prisons and places of detention;
- (q) executing such other duties as may by law be imposed on a member of the Force.

### **13. Employment of the Force for military service**

(1) Every member of the Force is liable to actual military service for the defence of Saint Vincent and the Grenadines in the event of war or other emergency.

(2) The provisions of subsections (4), (5) and (6) shall have effect only by virtue of a proclamation made in the event of war or other emergency by the Governor-General, directing that the said provisions shall come into operation; and when such a proclamation is made the provisions shall come into operation on such date as may be specified in the proclamation, shall continue in operation until a further proclamation directing that they shall cease to have effect is made by the Governor-General and shall then cease to have effect except as respects thing previously done or omitted to be done.

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

Provided that neither subsection (5) or (6) shall at any time be in operation unless subsection (4) is in operation.

(4) The Force, or any part thereof specified in any proclamation, shall be a military force liable to be employed on military duties in the defence of Saint Vincent and the Grenadines, and members of the Force to whom the proclamation applies shall hold, in addition to their police ranks under this Act, such military ranks as may be determined by regulations made by the Governor-General.

(5) The provisions of the Army Act of the Parliament of the United Kingdom with respect to discipline shall apply to a military force constituted under this section with the following modifications—

- (a) references to “Her Majesty” or “Secretary of State” shall be construed as references to the Governor-General;
- (b) no sentence of a court martial upon the trial of a member of the force shall be carried into execution unless confirmed by the Governor-General.

(6) Any person who volunteers for military service with the Force under this section may be enrolled as a member of the Force for that purpose with such military rank as may be determined by regulations made by the Governor-General, and, save as may be otherwise prescribed by regulations under this section, shall not have any of the rights, powers or duties, or be subject to any of the liabilities, of a member of the Force for any other purpose.

(7) Where provision has been made by proclamation under this section relating to only one or two subsections, like provision relating to the remaining subsection, or to one or both of the remaining subsections, as the case may be, may be made by further proclamation; and any proclamation under this section may, as respects its applicability or in applicability to any part of the Force, be varied by further proclamation.

(8) Whenever the Force is called out for military service pursuant to a proclamation issued under this section the provisions of this Act dealing with discharge or withdrawal from the Force shall, *ipso facto*, be suspended during the continuance of such military service except with the express authority of the Governor-General.

(9) The Governor-General may make regulations for the administration and discipline of the Force or part thereof serving as a military force, and generally for giving effect to the provisions of this section, and for those purposes may, by such regulations, modify or amend the provisions of this Act (other than this section). Subject to the provisions of such regulations, members of the Force to whom the proclamation applies shall continue to be subject to the provisions of the Army Act for the time being applicable by virtue of subsection (5).

#### **14. Members killed or dying from wounds or disease**

When any member of the Force is disabled or killed in actual military service, or dies from wounds or disease contracted on actual military service, provision may be made for him, or for his wife and family, as the case may be, out of the Consolidated Fund in accordance with the rules and regulations for the time being in force regulating the provisions made in like cases for officers, non-commissioned officers and men of Her Majesty's Army and for their wives and families.

#### **15. Measurements, photographs and fingerprints**

(1) Any officer or non-commissioned officer authorised by the Commissioner may take, or cause to be taken, and record for the purposes of identification the measurements, photograph and fingerprint impressions of any person where he suspects that that person, from the nature or character of the offence with which he is charged, has been previously convicted or has been engaged in crime, or that his measurements and photograph and fingerprint impressions (or any of them) are required in the interests of justice.

(2) If any person charged refuses to submit to the taking of his measurements or photograph or fingerprint impressions, he may be taken before a magistrate and if the magistrate is satisfied that the suspicion of the officer is reasonably grounded on any of the considerations specified in subsection (1) he may make such order with respect to the taking of the measurements, photograph and fingerprint impressions (or any of them) of such person as he shall think fit.

(3) Where any measurements, photograph and fingerprint impressions (or any of them) are taken of a person who has not previously been convicted of any criminal offence, and such person is discharged or acquitted by a court, all records relating to such measurements, photograph and fingerprint impressions shall be forthwith destroyed in the presence of an officer or handed over to such person.

## PART III

*Discipline, Returns, etc.***16. Summoning of witnesses, etc.**

(1) For the purpose of exercising the disciplinary control conferred by section 85(3) of the Constitution, the Commissioner, and any member of the Force to whom he has delegated his powers under section 85(4) of the Constitution, shall have all the powers of bringing offenders before them and of summoning and enforcing the attendance of witnesses and examining them upon oath or affirmation in respect of the offences which they are authorised to investigate as are possessed by a magistrate acting under the powers conferred upon him by the Magistrates' Act or any other law for the time being in force.

[Chapter 10, Chapter 30.]

(2) Every officer shall, so long as he is serving in Saint Vincent and the Grenadines, be an *ex officio* justice of the peace.

**17. Offences and punishments**

(1) Any member of the Force of or below the rank of sergeant who is guilty of any of the following offences—

- (a) cowardice;
- (b) leaving his guard or post without authority;
- (c) sleeping on his post or beat;
- (d) mutinous conduct, or being accessory thereto;
- (e) assault on any member of the Force;
- (f) wilful disobedience;
- (g) insubordinate language or conduct;
- (h) desertion;
- (i) permitting the escape of a prisoner;
- (j) committing wilful damage to Government property;
- (k) making false statements, entries or returns;
- (l) gambling or betting in barracks;
- (m) absence without leave;
- (n) drunkenness at any time;
- (o) malingering;
- (p) breaking arrest or out of barracks;
- (q) wilful or negligent destruction of, or damage to any arms, clothing, or accoutrements or any other Government property;
- (r) pawning, losing, selling or making away with his arms, clothing, or accoutrements or any other Government property;
- (s) breach of any regulation or standing order;

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- (t) conduct to the prejudice of good order and discipline;
- (u) loitering on duty;
- (v) neglect of duty;
- (w) breach of confidence;
- (x) corrupt practice,

may, on conviction by the Commissioner or any member of the Force delegated by him, be punished by any one of the following punishments—

- (i) fine not exceeding two hundred and fifty dollars,
- (ii) dismissal,
- (iii) reduction in rank,
- (iv) forfeiture of good conduct pay and badges, or of any benefit arising from the whole or any part of his past or future service,
- (v) cells, not exceeding fourteen days,
- (vi) confinement to barracks not exceeding twenty-eight days, and such confinement shall involve the performance of ordinary duty and parades as well as fatigue duties.

(2) The cells referred to in subparagraph (v) shall be the cells at any police station.

(3) Where the Police Service Commission has, under section 84(7) of the Constitution (or under the corresponding provision of the 1969 Constitution), conferred powers of disciplinary control over members of the Force of a rank higher than sergeant, on a member of the Force, the provisions of this section shall apply to members of the Force of that rank.

(4) For the avoidance of doubt, no member of the Force to whom the Commissioner has delegated disciplinary control may, on conviction, order dismissal from the Force or reduction in rank.

## **18. Appeal**

(1) Where the Commissioner has delegated his powers under section 85(4) of the Constitution, any member of the Force who, in relation to his conviction or punishment, is dissatisfied with the decision of the member of the Force to whom the Commissioner has delegated his powers may, within seven days after the decision has been communicated to him and subject to the provisions of any regulations governing the same, appeal to the Commissioner who may make such order as the circumstances require.

(2) Any member of the Force who is dissatisfied with the decision or order of the Commissioner in any case involving reduction in rank or dismissal from the Force may, subject to any regulations governing the same, within seven days of the decision or order being communicated to him, appeal to the Public Service Board of Appeal.

(3) Every appeal under this section shall be deemed to have been made on delivery of the same by the appellant to his superior officer: and every appeal to the Public Service Board of Appeal shall be delivered to the Commissioner who shall forward it to the Board.

(4) The Commissioner may, without any appeal having been made to him, vary any punishment imposed by any member of the Force delegated by him to hear and determine any charges.

**19. Arrest of members of the Force**

Any member of the Force charged with any serious offence under this Act or any regulations made hereunder, may be arrested or confined on the instructions of the senior member of the Force present at the time until he can be brought before the Commissioner or other member of the Force who has been delegated the powers of the Commissioner under section 85(4) of the Constitution.

**20. Deserters**

Any member of the Force who is absent without leave for any period exceeding forty-eight hours, and any member who withdraws from duty before he is lawfully discharged from the Force, shall be deemed a deserter, and shall be liable to be punished accordingly; and any member of the Force or other person may, upon reasonable suspicion that any man is a deserter from the Force, arrest him and bring him forthwith before the nearest officer of the Force, who shall, on it appearing to him that the accused is a deserter, cause him to be brought up in custody before the Commissioner or the senior officer of police in Saint Vincent and the Grenadines.

**21. Enforcement of fines, etc.**

Fines, penalties, forfeitures and stoppages imposed under this Act on any member of the Force for any offence under this Act or for the breach of any regulation, may be enforced by deducting the amount from any pay, allowance and emolument which may become due to the offender.

**22. Monthly returns**

Every member of the Force to whom the Commissioner has delegated the power of disciplinary control shall, on the 1st of each month, furnish to the Commissioner a return of all crimes or offences committed by any member of the Force and investigated by him in the preceding month and stating the manner in which such offences have been disposed of.

**23. Quarterly returns**

The Commissioner shall furnish to the Governor-General at the end of each quarter a return of all crimes or offences committed by members of the Force and the manner in which such offences or crimes have been disposed of.

**24. Members not liable for irregularity of warrant**

(1) When action shall be brought against any member of the Force for any act done in obedience to the warrant of any magistrate or justice of the peace, the party against whom such action shall be brought shall not be responsible for any irregularity in the issuing of such warrant, or for any want of jurisdiction of the magistrate or justice of the peace issuing the same, but may give such warrant in evidence at the trial, and on proving that the signature thereto is the handwriting of the person whose name shall appear subscribed thereto and that such person was reputed to be and acted as a magistrate for the district or justice of the peace and that the act or acts complained of was, or were, done in obedience to such warrant, there shall be a verdict in such action for the defendant.

(2) It shall be the duty of the officer, non-commissioned officer or constable, if required to do so, in the execution of any warrant to him directed to produce the same to the party or parties taken into custody thereunder, and to permit a copy thereof to be taken

by him, or them, or on his, or their, behalf, either at the time of the capture or at any time afterwards while the warrant remains in his custody.

#### **25. Members convicted by court not liable to further punishment**

No member of the Force, after acquittal by a court of competent jurisdiction of any crime or offence, shall be punished on the same charge under this Act; and no member of the Force who has been convicted of any crime or offence by any such court, shall be liable to punishment for the same offence under this Act, otherwise than by a total loss of pay during imprisonment, by reduction, by dismissal or by the loss of such good conduct badges and good conduct pay as he may possess.

### PART IV

#### *Reward Fund, Good Conduct Pay and Financial*

#### **26. Reward Fund**

(1) All fines and penalties imposed on any non-commissioned officer or constable, or on any other person, under the authority of this Act, or under the regulations made hereunder, and all penalties and proportions of penalties awarded to any non-commissioned officer or constable on any summary conviction as the prosecutor of any information, shall be received by the Commissioner Police or by the senior officer of police for the time being in Saint Vincent and the Grenadines and shall be placed on deposit in the Treasury to a separate account to be called the "Police Reward Fund". The monies of such Fund shall be appropriated for the payments of such reward or prizes or for other like purposes as the Commissioner may award and direct:

Provided always that where in any Act in force in Saint Vincent and the Grenadines it is enacted that any part or share or any seizure or forfeiture, or proceeds thereof, is, or may be, awarded to any person as prosecutor, informer or otherwise, and any such part or share is awarded to any non-commissioned officer or constable under any such enactment, such non-commissioned officer or constable shall have for his own personal use and benefit the share or portions so awarded to him as aforesaid.

(2) Any member of the Force who is dismissed from the Force shall forfeit all claims on the Police Reward Fund.

#### **27. Investment of Reward Fund**

The Governor-General may direct the investment of any monies belonging to the Police Reward Fund, or any portion thereof, in any manner he shall think proper, and the principal and interest of every such investment may be applied in like manner and for the like purposes as the Police Reward Fund is by this Act in that behalf made applicable.

#### **28. Good conduct pay and badges**

Every non-commissioned officer and constable of the Force shall, for continuous good service, be entitled to good conduct badges and pay thereafter at such rates and on such conditions as may be approved by the Governor-General and published in the Police Regulations:

Provided always that a member of the Force who has earned good conduct pay, on subsequently becoming entitled to a higher rate of such pay, shall not be entitled thereafter to both rates but only to the higher rate of pay.

**29. Payment of extra expenses**

The Governor-General may direct, and the Accountant-General shall, on the warrant of the Governor-General, make, payment of any extraordinary expenses which shall appear to have been necessarily incurred in detecting and apprehending offenders and executing the powers and duties given or imposed under this Act, such expenses being first certified by the officer or non-commissioned officer in charge of the district in which the same shall have been incurred and countersigned by the Commissioner of Police.

**30. Payment while under arrest**

Whenever any non-commissioned officer or constable is suspended from duty or placed under arrest in respect of any offence for the commission of which he is subsequently dismissed from the Force, such non-commissioned officer or constable shall only be entitled to receive half-pay for the time during which he has been so suspended or placed under arrest: and pay shall, in every case, altogether cease as and from the day on which an appeal has been dismissed by the Public Service Appeal Board.

**31. Pensions to be charged on Consolidated Fund**

There all be charged on and paid out of the Consolidated Fund as hereinafter provided all such sums of money as may be granted by way of pension, gratuity or other allowance in accordance with this Act to persons who have been in the Force.

**32. Grant of pensions**

Subject to the provisions of this Act, every non-commissioned officer or constable of the Force who has served in the Force for ten years or upwards may be granted on his retirement a pension at the rate of one hundred and eighty-seven hundred and twentieth of his pay, with an additional one seven hundred and twentieth for each completed month of service in excess of ten years.

**33. Service in Auxiliary Police**

Where a member of the Auxiliary Police is at the same time attached to the Force for a period of service which is full time and continuous in circumstances which that would not entitle him to a pension of gratuity under this Act and this period is immediately followed by enlistment as a non-commissioned officer or constable in the Force, such period of service may, with the approval of the Governor-General, be taken into account in computing his pension and gratuity under this Act.

**34. Cases in which pensions may be granted**

No pension shall be granted—

- (a) to any constable or non-commissioned officer of the Force below the rank of sergeant who has not either attained the age of fifty or served in the Force for twenty years; or
- (b) to any non-commissioned officer of or above the rank of sergeant of the Force who has not either attained the age of fifty-five or served in the Force for twenty years,

unless on medical evidence, to the satisfaction of the Governor-General, that such non-commissioned officer or constable is incapacitated by reason of some infirmity of mind or body for further service in the Force and that such infirmity is likely to be permanent.

**34A. Recruitment service pensionable**

(1) The service rendered by a non-commissioned officer or constable during any period when as a newly enlisted constable or recruit he—

- (a) received salary at a rate which appears in the Estimate for any financial year as the rate payable to a “recruit constable” or newly enlisted constable,

shall not operate to the detriment or prejudice of such non-commissioned officer or constable in the computation of pension or gratuity but provided his service is unbroken, such service shall be deemed to be—

- (i) pensionable service,
- (ii) service for the purpose of gratuity,

as the case may be, and shall be determined accordingly;

- (b) was assigned to training or other type of duty commensurate with the status of recruit.

(2) This section shall apply to pensions and gratuity computations which commenced on or after the 11th day of February, 1992, and to computations commenced but not completed before that date.

[Section 34A inserted by Act No. 20 of 1993 and rectified by SRO 27 of 1993.]

**35. Gratuities**

(1) When any non-commissioned officer or constable has served ten years or more and retires from, or otherwise leaves, the Force in circumstances that do not entitle him to be granted a pension under this Act, the Governor-General may, if his conduct while he served in the Force has been such as, in the opinion of the Governor-General, to justify favourable consideration, grant him such gratuity as the Governor-General thinks fit in the circumstances, but not exceeding the amount of his pay for his last completed year of service.

(2) Subject to the provisions of section 36, when a non-commissioned officer or constable of the Force who is not serving on probation and who has served in the Force for not less than five years dies whilst in the service of Saint Vincent and the Grenadines, the Governor-General may grant his legal personal representative a gratuity of an amount not exceeding one year's pensionable emoluments.

(3) Any non-commissioned officer or constable of the Force who has not completed ten years service in the Force may be granted a gratuity at the rate of half a month's pay for each complete six months of service, provided that the Governor-General is satisfied, upon medical evidence, that such non-commissioned officer or constable is incapacitated by reason of some infirmity of mind or body for further service in the Force, and that such infirmity is likely to be permanent, and provided also that the Commissioner certifies that such non-commissioned officer or constable has discharged his duties with such diligence and fidelity as to justify the grant to him of a gratuity.

**36. Pension to dependents of non-commissioned officer and constable killed on duty**

(1) Where a non-commissioned officer or constable of the Force dies within seven years 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 Government,

the Governor-General may grant, in addition to the grant, if any, made to his legal personal representative under section 35(2)—

- (i) if the deceased non-commissioned officer or constable leaves a widow, a pension to her, while unmarried and a good character, at a rate not exceeding ten-sixtieths of his annual rate of pay at the date of the injury, or seventy-two dollars a year, whichever is the greater,
- (ii) if the deceased non-commissioned officer or constable leaves a widow to whom a pension is granted under subparagraph (i) and a child or children, a pension in respect of each child, until such child attains the age of eighteen, of an amount not exceeding one-eighth of the pension prescribed under subparagraph (i),
- (iii) if the deceased non-commissioned officer or constable leaves a child or children, but does not leave a widow, or no pension is granted to the widow, a pension in respect of each child, until such child attains the age of eighteen, of double the amount prescribed by subparagraph (ii),
- (iv) if the deceased non-commissioned officer or constable leaves a child or children and a widow to whom a pension is granted under subparagraph (i), and the widow subsequently dies, a pension in respect of each child as from the date of the death of the widow until such child attains the age of eighteen, of double the amount prescribed in subparagraph (ii),
- (v) if the deceased non-commissioned officer or constable does not leave a widow, or if no pension is granted to his widow, and if his mother was wholly or mainly dependent on him for her support, a pension to the mother, while of good character and without adequate means of support, of an amount not exceeding the pension which might have been granted to his widow,
- (vi) if the deceased non-commissioned officer or constable does not leave a widow or mother, or if no pension is granted to his widow or mother, and if his father was wholly or mainly dependent on him for his support, a pension to the father, while of good character, of an amount not exceeding the pension which might have been granted to his widow,
- (vii) if the deceased non-commissioned officer or constable does not leave a child or children who is or are eligible for a pension under the provisions of this section, and, if any brother or sister was wholly or mainly dependant on him, for support, a pension in respect of any such brother or sister of the same amount and subject to the same conditions as the pension which might have been granted in respect of a child under subparagraphs (ii), (iii) and (iv):

Provided that—

- (a) pension shall not be payable under this subsection at any time in respect of more than six children or in respect of a legitimate child born later than nine months after the date of the injury;
- (b) in the case of a pension under subparagraph (v), if the mother is a widow at the time of the grant of the pension and subsequently remarries such pension shall cease as from the date of remarriage;
- (c) a pension granted to a female child under this section shall cease upon marriage of such child under the age of eighteen;

- (d) in the case of a pension granted under subparagraph (v), (vi) or (vii), if it appears to the Governor-General at any time that the mother and father, or any brother or sister is adequately provided with other means of support, such pension shall cease as from such date as the Governor-General may determine.

(2) For the purposes of this section, the following words have in relation to a deceased non-commissioned officer or constable the meanings respectively assigned to them—

**“brother”** includes every male child of his father or of his mother;

**“child”** includes—

- (a) a posthumous child;
- (b) a step-child or child born out of wedlock born before the date of the injury and wholly or mainly dependent upon him for support; and
- (c) an adopted child, adopted in a manner recognised by law, before the date of the injury, and dependent as aforesaid;

**“father”** includes his step-father and a male person by whom he has been adopted;

**“mother”** includes his step-mother and a female person by whom he has been adopted;

**“sister”** includes every female child of his father or of his mother.

(3) If a non-commissioned officer or constable proceeding by a route approved by the Governor-General to or from Saint Vincent and the Grenadines at the commencement or termination of his service therein, or of a period of leave therefrom, dies as the result of damage to the vessel, aircraft or vehicle in which he is travelling, or of any act of violence directed against such vessel, aircraft or vehicle, and the Governor-General is satisfied that such damage or act is attributable to circumstances arising out of any war in which Her Majesty, in right of Her Government in Saint Vincent and the Grenadines may be engaged, such non-commissioned officer or constable shall be deemed, for the purpose of this section, to have died in the circumstances described in subsection (1):

Provided that this subsection shall not apply in the case of a non-commissioned officer or constable who is eligible to receive an award under subsection (4).

(4) A non-commissioned officer or constable who dies as a result of injuries received while travelling by air in pursuance of official instructions shall be deemed to have died in the actual discharge of his duty and on account of circumstances specifically attributable to the nature of his injuries; and if his injuries were not also due to his own default the rates of pension prescribed in subsection (1)(i) and (ii) shall be fifteen-sixtieths and one-sixth respectively.

### **37. Allowance in case of injury**

When, upon medical evidence, the Governor-General is satisfied that a non-commissioned officer or constable of the Force or a rural constable has been permanently injured—

- (a) in the actual discharge of his duty;
- (b) without his own default; and
- (c) by some injury specifically attributable to the nature of his duty,

and the retirement of such non-commissioned officer or constable is thereby necessitated or materially accelerated, the Governor-General may, in addition to the pension, if any, receivable by such non-commissioned officer or constable under this Act, grant to him such annual allowance as the Governor-General thinks fit, but so that any allowance hereby granted, together with the pension awarded, shall not exceed two-thirds of his pay, and in the case of a rural constable may grant to him such yearly allowance or remuneration as may be proportionate to the injury received.

### **38. Reduced pension and gratuity**

(1) Every non-commissioned officer or constable of the Force who, on the 27th November, 1947, became or who, hereafter becomes eligible for pension under the provisions of this Act may elect to take on his retirement a reduced pension and gratuity in lieu of the pension provided for by this Act.

(2) Every non-commissioned officer or constable of the Force who, on the 27th November, 1947, became eligible for pension shall notify the Governor-General of his election within six months of the 1st January, 1949, and every non-commissioned officer or constable who may hereafter become eligible may notify the Governor-General of his election at any time during the period in which he is becoming eligible for a pension and not later than one month after the date on which he shall have so become eligible.

(3) An election once exercised shall be irrevocable.

### **39. Definition of reduced pension and gratuity**

Reduced pension shall be a pension equal to three-fourths of the amount of pension which would be payable under this Act, including any allowance granted under section 37, and a gratuity shall be the amount which one-fourth of the pension payable under this Act, including such allowance, when multiplied by twelve and one-half shall represent.

### **40. Compulsory retirement**

(1) Every constable and non-commissioned officer below the rank of sergeant shall retire from the Force on attaining the age of fifty.

(2) Every non-commissioned officer of the rank of sergeant and above shall retire from the Force on attaining the age of fifty-five:

Provided that the Governor-General may require such non-commissioned officer to retire from the Force at any time after attaining the age of fifty.

(3) The Governor-General may extend the period of service of constables and non-commissioned officers beyond the ages mentioned in subsections (1) and (2).

### **40A. Interpretation**

In this Part as from the first day of December, 1980—

“**constable**” includes a police constable and an able seaman employed in the Coast Guard Service;

“**non-commissioned officer**” includes a non-commissioned officer of the Police Force and any sub-lieutenant, chief petty officer, petty officer or leading seaman employed in the Coast Guard Service.

[Section 40A inserted by Act No. 20 of 1992, amended by Act No. 39 of 1992 and substituted by Act No. 16 of 1998.]

**41. Pension not of right**

No non-commissioned officer or constable of the Force shall have an absolute right to compensation for past service, or to any pension, gratuity or other allowance under this Act, nor shall anything herein limit the right of the Crown to dismiss any such non-commissioned officer or constable without compensation.

**42. Pension not assignable**

No pension granted under this Act shall be assignable or transferable or liable to be attached, sequestered or levied upon, for or in respect of any debt or claim whatsoever.

**43. Pension to cease on conviction**

If any non-commissioned officer or constable to whom a pension is granted under this Act is convicted before any court in the Commonwealth of any crime or offence for which he is sentenced to death or penal servitude or any term of imprisonment exceeding twelve months and does not, within two months after such conviction receive a free pardon, then in every such case such pension shall forthwith cease:

Provided always that in the case of a non-commissioned officer or constable who after conviction as described above receives a free pardon at any time, the Governor-General may restore the pension.

**44. Pension to cease on bankruptcy**

If any non-commissioned officer or constable to whom a pension has been granted under this Act becomes a bankrupt, then such pension shall cease forthwith:

Provided always that in any case where a pension ceased by reason of the bankruptcy of the pensioner, the Governor-General may, during the remainder of such pensioner's life or during such shorter period or periods, either continuous or discontinuous, pay all or any part of the monies to which such pensioner would have been entitled by way of pension had he not become bankrupt to, or apply the same for the maintenance and personal support or benefit of, all or any, exclusive of the other or others, of the following persons, namely such pensioner and any wife, child or children of his, in such proportions and manner as the Governor-General thinks proper.

**45. Pensions Act not to apply to non-commissioned officers and constables**

The Pensions Act shall not apply to any non-commissioned officer or constable in the Force, except such as are, or shall be, appointed to any office which is, or shall be, declared to be a pensionable office within the meaning of that Act.

[Chapter 272.]

**46. Saving of sections 43 to 49 of Police Act, 1947**

Sections 43 to 49 inclusive of the Police Act, 1947, as they read immediately before the 31st December, 1951, shall, notwithstanding their repeal by the Pensions (Amendment) Act, 1951, apply to any non-commissioned officer or constable serving in the Force on the 31st December, 1951, who notified the Governor in writing within six

months after such date of his desire that the provisions of those sections should apply to him, in which case they shall continue to apply accordingly.

[Chapter 391.]

#### **47. Service prior to transfer to be taken into account for pension purposes**

Where a non-commissioned officer or constable who holds a pensionable appointment under this Act has been transferred from the police service to other pensionable employment under the Government, his service as such non-commissioned officer or constable shall, on his retirement, be taken into account in computing his pension or gratuity:

Provided that the service in respect of which a pension or gratuity may be granted shall form one continuous period.

### PART V

#### *Rural Constables, Special Constables and Auxiliary Police Force*

#### **48. Rural constables**

(1) In addition to the regular Force, the Governor-General may appoint any persons, with their consent, to be rural constables on or in any town, plantation village or district.

(2) Every rural constable shall make the declaration hereinbefore provided for members of the regular Force, but shall make it before the magistrate of the district wherein he resides, and after making it he shall have full authority to perform the duties of a constable, and shall for disobedience of orders or improper conduct be liable to the same penalties to which constables of the regular Force are liable.

(3) The magistrate before whom the declaration is made shall forthwith give the person who has made it a certificate that he has been duly appointed a rural constable; and each magistrate shall keep in his office a record of all persons who have made the declaration before him.

(4) Every rural constable when called upon to perform public duty shall be entitled to be paid such sum as shall be fixed by the Governor-General.

(5) The Governor-General may at any time dismiss any rural constable.

(6) All district constables employed on the 1st January, 1948, shall be deemed to be employed as rural constables under this Act.

#### **49. Appointment of special constables**

The Governor-General may, at any time that he thinks it expedient in the public interest to do so, appoint fit and proper persons to be special constables to act as such for the preservation of the peace, and may at any time cancel any appointment so made.

#### **50. General powers, etc., of special constables**

Every special constable shall, during his term of office, have all such powers, authorities, and immunities, and be subject to all such duties and responsibilities as are conferred or imposed upon a member of the Force, and shall, on appointment, take and subscribe before a justice of the peace the oath here following, that is to say—

“I, ....., do swear that I will well and truly serve Our Sovereign Lady the Queen in the office of special constable in Saint Vincent and the Grenadines without favour or affection, malice or ill will, and that I will cause Her Majesty’s peace to be preserved, and will prevent to the utmost of my power offences against the same. So help me God.”

#### **51. Arms, etc., of special constables**

(1) Every special constable shall be provided by the Commissioner at the public expense, with such badge, staff, weapons or other accoutrements as may be necessary, and such badge, staff, weapons or other accoutrements shall be returned to the Commissioner or such other officer at such time and place as he may direct.

(2) Any special constable who wilfully neglects or refuses to make such return as is required by subsection (1) is guilty of an offence and liable to a fine of fifteen hundred dollars.

(3) Any magistrate or justice of the peace may issue his warrant to search for and seize all such weapons, articles or accoutrements which are not so delivered over wherever the same may be found and to arrest the person in whose possession the same may be found.

#### **52. Direction of special constables**

Special constables shall be under the orders of such officers as may be appointed to command them by the Governor-General and, in the absence of any such appointment, shall be under the orders of the Commissioner.

#### **53. Offences by special constables**

Any person appointed to be a special constable who, without reasonable cause, refuses or neglects to take the prescribed oath when called upon to do so by any justice of the peace, or who refuses or neglects to serve when called upon to do so, or to obey any lawful command, is guilty of an offence and liable to a fine of one thousand dollars.

#### **54. Remuneration of special constables**

The Governor-General is authorised to pay from the Consolidated Fund such sums as he may deem reasonable for the services and expenses of special constables.

#### **55. Saint Vincent and the Grenadines Auxiliary Police Force**

There shall be established in Saint Vincent and the Grenadines a supplemental body of police styled the “Saint Vincent and the Grenadines Auxiliary Police Force” (hereinafter referred to as the “Auxiliary Police”) which may be called out for service by the Commissioner—

- (a) in any case when additional police are required for the preservation of good order; and
- (b) for purposes of drill and training.

#### **56. Command and composition**

- (1) The Commissioner shall have the general command of the Auxiliary Police.

Police Act – Subsidiary Legislation

(2) The Auxiliary Police shall consist of such officers, non-commissioned officers and constables as the Commissioner, with the approval of the Governor-General, may direct.

(3) The officers of the Auxiliary Police shall be appointed by the Governor-General.

(4) The officer appointed to direct command of the Auxiliary Police shall be styled “Commandant” and his rank for the purpose of section 63(2) shall be equivalent to Deputy Commissioner.

(5) The Commissioner may appoint fit and proper persons to be non-commissioned officers and constables of the Auxiliary Police.

**57. Qualifications for appointment**

Every person who—

- (a) is not less than eighteen;
- (b) is able bodied; and
- (c) is of good character,

may, on the recommendations of the Commandant, be appointed a constable in the Auxiliary Police.

**58. Precept of appointment and oath**

(1) On the appointment of any person to be a non-commissioned office or constable of the Auxiliary Police, the Commissioner shall cause to be delivered to him a precept authorising him to act as such.

(2) The precept shall be in the following form—

“To ..... Saint Vincent and the Grenadines  
of .....

I, .....  
Commissioner of Police, under and by virtue of the power and authority in me vested, hereby  
appoint you to be a ..... of the Saint Vincent and the Grenadines  
Auxiliary Police Force, and I do issue to you this precept authorising you to act as such.

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

.....  
*Commissioner of Police*”

(3) Every person appointed to be an officer, non-commissioned officer or constable of the Auxiliary Police shall take and subscribe before an officer of the Force the following oath of office—

“I, ....., of ..... do swear  
that I will well and truly serve Our Sovereign Lady the Queen as a member of the Auxiliary  
Police Force for Saint Vincent and the Grenadines. So help me God.”

**59. Equipment**

Every member of the Auxiliary Police shall be provided with a short manual describing the powers and duties of the Auxiliary Police, a badge, a baton and such clothing and other equipment as may be approved by the Commissioner. (Such badge shall be *prima facie* evidence that the officer, non-commissioned officer or constable is a

member of the Auxiliary Police.) The cost of these articles of clothing and equipment shall be defrayed from such funds as may be provided by Parliament.

#### **60. Revocation of appointment**

The appointment of any member of the Auxiliary Police may be revoked at any time—

- (a) by the Governor-General in the case of officers;
- (b) by the Commissioner in other cases.

#### **61. Resignation**

Any member of the Auxiliary Police may, except when called out for service, resign from the Auxiliary Police by giving to the Governor-General in the case of officers, and to the Commissioner in other cases, one month's notice in writing:

Provided that the Commissioner may, in such other cases, dispense with such notice and that a member may be allowed to resign even though he has been called out for service if a recommendation in that behalf has been made by the Commissioner and has been approved by the Governor-General.

#### **62. Jurisdiction of officers**

(1) The Commissioner, or any officer of the Auxiliary Police Force deputed by him for the purpose shall, subject as is hereinafter provided, have and possess power and jurisdiction to hear and determine all charges against a non-commissioned officer or constable to the Auxiliary Police for the offences mentioned in section 17 and to inflict on any such non-commissioned officer or constable who is found guilty of any of the said offences, one of the following punishments, namely—

- (a) admonishment;
- (b) reprimand;
- (c) fine not exceeding fifty dollars;
- (d) reduction in rank:

Provided that any non-commissioned officer or constable of the Auxiliary Police who is dissatisfied with the decision of the Commissioner or of any officer deputed by the Commissioner in any case involving reduction in rank, may appeal from such decision in like manner and with like consequences as is provided in section 18.

(2) For this purpose the Commissioner and every officer so deputed by him shall have the same powers as are possessed by them under section 16(1).

(3) The provisions of section 96 of the Criminal Code shall apply to any such proceedings.

[Chapter 171.]

#### **63. Authority and pay**

(1) Every member of the Auxiliary Police shall have, exercise and enjoy the same powers, authorities, advantages and immunities as a member of the Force and, when called out for service, be liable to the same duties and responsibilities:

Provided that when he is exercising the powers and authorities conferred by this Act every such member shall declare himself to be a member of the Auxiliary Police, unless at such time he is wearing Auxiliary Police uniform.

(2) Every member of the Auxiliary Police when called out for service by the Commissioner under the provisions of section 55 shall be paid for his services from such monies as may be provided by Parliament, at the same rate as a member of the Force of equivalent rank.

#### **64. Surrender of precept and equipment**

Every member of the Auxiliary Police who resigns, or otherwise ceases to be a member of the Auxiliary Police, shall within one week of his ceasing to be a member, return to the Commissioner his precept, baton, badge and other equipment issued to him, or pay the value thereof.

#### **65. Offences**

(1) Any member of the Auxiliary Police who, when called out for service, neglects or refuses to obey any lawful command is guilty of an offence and liable to a fine of five hundred dollars.

(2) Any member of the Auxiliary Police who—

- (a) improperly lends, sells, pledges or otherwise disposes of, damages or spoils any equipment issued to him at public expense while a member of the Auxiliary Police; or
- (b) fails, without lawful excuse, to return any such equipment or to pay the value thereof as required by the provisions of section 64,

is guilty of an offence and liable to a fine of two hundred and fifty dollars.

(3) Any person who impersonates, or in any way pretends to be, a member of the Auxiliary Police is guilty of an offence and liable—

- (a) on conviction on indictment, to imprisonment for two years; and
- (b) on summary conviction, to a fine of two thousand five hundred dollars and to imprisonment for six months.

(4) Any person who is found in possession of any badge, baton, equipment or clothing provided for the use of a member of the Auxiliary Police is, in the absence of a reasonable excuse, guilty of an offence and liable to a fine of five hundred dollars.

#### **66. Illness, bodily injury and death**

(1) Where any member of the Auxiliary Police, through no fault of his own, contracts any illness or sustains any bodily injury while in the actual discharge of his duties as such, although he has not been called out under section 55 or detailed for duty by a superior officer, he shall be provided with medicines, medical comforts and medical attendance at the public expense on the written authority of the Commissioner.

(2) Where any member of the Auxiliary Police sustains bodily injury in the circumstances specified in subsection (1) and is permanently disabled (either totally or partially) as a result thereof, the Governor-General may grant him a pension or gratuity, the amount of which shall be subject to the approval of the House of Assembly.

(3) Where the bodily injury results in death, the Governor-General may award to the dependents (including any children born out of wedlock to whose support the deceased

was contributing) a pension or gratuity, the amount of which shall be subject to the approval of the House of Assembly.

(4) Members of the Auxiliary Police, while serving as such, shall not be regarded as workmen for the purposes of the Workmen's Compensation Act.

[Chapter 218(O).]

### **67. Saving**

Every person who, at the 2nd February, 1954, was either a member of the Special Reserve Police or a member of the Saint Vincent Auxiliary Police shall be deemed to have been appointed, and to be, a member of the Saint Vincent and the Grenadines Auxiliary Police Force and to have taken the oath of office prescribed for a member of the Auxiliary Police prescribed under this Act.

### **68. Non-application of sections 71 and 72**

The provisions of sections 71 and 72 shall not apply to special constables nor to members of the Auxiliary Police.

## PART VI

### *Miscellaneous*

### **69. Offences in connection with members of the Police**

(1) Any person who—

- (a) has in his possession any clothing, arms, ammunition, accoutrements or other appointments, furnished for the use of the Force and does not account satisfactorily for the possession thereof;
- (b) not being a member of the Force, wears, puts on or assumes, without the permission of the Commissioner, the dress, name, designation or description of any member of the Force, or any dress having the appearance or bearing any of the distinctive marks of the uniform of the Force;
- (c) knowingly harbours, entertains, or either directly or indirectly sells or gives any intoxicating liquor to, any member of the Force while on duty, or permits him to remain in his house without lawful excuse; or
- (d) refuses to aid or assist any member of the Force when lawfully called upon by such member to do so,

is guilty of an offence and liable to a fine of two hundred and fifty dollars:

Provided that the provisions of paragraph (b) shall not prevent persons from wearing any uniform or dress in the course of a stage play or music hall or circus performance.

(2) Any person who—

- (a) assists or conceals any deserter from the Force, knowing him to be such;
- (b) puts on or assumes the dress, name, designation or description of any member of the Force in such a manner or under such circumstances as to be likely to bring contempt upon that uniform, or employs any other person so to wear that uniform; or

- (c) assaults or resists, or incites any other person to assault or resist, any member of the Force in the execution of his duty,

is guilty of an offence and liable to imprisonment for six months.

#### **70. Causing disaffection**

Any person who—

- (a) causes, or does any act calculated to cause, disaffection amongst members of the Force;
- (b) induces, or does any act calculated to induce, any member of the Force to withhold his services or to commit breaches of discipline,

is guilty of an offence and liable—

- (i) on conviction on indictment, to imprisonment for two years, and
- (ii) on summary conviction, to a fine of two thousand five hundred dollars and to imprisonment for three months,

and in either case, if a member of the Force, shall forfeit all pension rights and be disqualified from being a member of the Force.

#### **71. Police Welfare Association**

(1) For the purpose of enabling non-commissioned officers and constables of the Force to consider and bring to the notice of the Commissioner and the Governor-General all matters affecting their general welfare and efficiency, there shall be established, in accordance with rules to be made by the Governor-General, an organisation, to be called the Police Welfare Association (hereinafter referred to as “the Association”), which shall act through boards and a central committee as provided in the rules.

(2) With the exception of questions relating to discipline or promotion, representations may be made by the Association on all matter where a question of principle is involved.

(3) The Association shall be entirely independent of and unassociated with any body outside the Force.

#### **72. Prohibition of membership of trade unions**

(1) Subject to the provisions of section 71, no member of the Force shall be or become a member of any trade union nor of any association having for its objects, or one of its objects, to control or influence the pay, pensions or conditions of service of the Force.

(2) Any member of the Force who contravenes the provisions of subsection (1), after having been warned in writing, shall be disqualified from continuing to be a member of the Force and shall be dismissed therefrom, and in addition may forfeit all pension rights to which he may have been eligible.

#### **73. Decision of Governor-General**

If any question arises whether any body is a trade union or an association to which section 72 applies, the question shall be determined by the Governor-General.

#### **74. Regulations**

The Commissioner may make such regulations, to be named the “Police Regulations”, as he may think expedient, and not inconsistent with the provisions of this Act, relative to—

- (a) the organisation, classification, distribution, and discipline of members of the Force;
- (b) the leave of absence to be granted to members of the Force;
- (c) the giving of credit to non-commissioned officers and constables;
- (d) the description of arms, accoutrements and other necessities to be furnished to them;
- (e) the administration of the Police Reward Fund; and
- (f) all such other regulations relative to the Force, and the duties of members of the Force as the Commissioner shall, from time to time, deem expedient for preventing abuse or neglect of duty, and for rendering the Force efficient in the discharge of its duties.

(2) No such regulations shall have the force of law until they have been approved by the Governor-General and published in the *Gazette*.

#### **75. Members retiring or dismissed to deliver up uniform, etc.**

(1) If any person who has been appointed to the Force is dismissed from, or ceases to belong to, the Force, all powers and authorities vested in him shall immediately cease and determine, and every non-commissioned officer and constable shall forthwith, after he has been dismissed from, or ceased to belong to, the Force, deliver over all and every the arms, ammunition, accoutrements, uniform and other appointments which may have been supplied to him for the execution of his office to such person and at such time and place as shall be directed by the officer or non-commissioned officer under whose command he was at the time of his dismissal or ceasing to belong to the Force.

(2) Any person who fails to comply with the provisions of subsection (1) is guilty of an offence and liable to a fine of five hundred dollars.

(3) A magistrate may issue his warrant to any constable to search for and seize, to the use of the Crown, all and every the arms, ammunition, accoutrements, uniform and other appointments which shall not be so delivered wherever the same may be found.

#### **76. Delivery of stolen goods to owner**

If any goods or money charged to be stolen or fraudulently obtained are in the custody of any member of the Force by virtue of any warrant of a magistrate or otherwise in the execution of his duty, and the person charged with stealing or obtaining possession is not found or is duly convicted on such charge or charges, the magistrate may make an order for the delivery of such goods or money to the person who appears to be the rightful owner thereof or, in case the owner cannot be ascertained, may order such goods, within a reasonable time, to be sold publicly and the proceeds thereof, together with any monies so in the custody of any member of the Force, shall form part of the Police Reward Fund.

**SUBSIDIARY LEGISLATION***List of Subsidiary Legislation*

1. Police Regulations
2. Police Welfare Association Rules
3. Police (Subsistence and Lodging Allowance) Regulations

**Police Regulations**

SRO 110 of 1948

**Amended by**

SRO 97 of 1950

SRO 40 of 1960

SRO 22 of 1965

The Court Order, 1967

Act No. 35 of 1968

SRO 16 of 1971

Act No. 3 of 1978

The Constitution

SRO 38 of 1980

Act No. 20 of 1987

SRO 33 of 1988

SRO 3 of 1989

SRO 13 of 1990

Act No. 1 of 1991

SRO 28 of 1992

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### **POLICE REGULATIONS**

[SRO 110 of 1948 amended by SRO 97 of 1950, SRO 40 of 1960, SRO 22 of 1965, The Court Order, 1967, Act No. 35 of 1968, SRO 16 of 1971, Act No. 3 of 1978, The Constitution, SRO 38 of 1980, Act No. 20 of 1987, SRO 33 of 1988, SRO 3 of 1989, SRO 13 of 1990, Act No. 1 of 1991, SRO 28 of 1992, SRO 2 of 1996.]

[Date of commencement: 31st December, 1948.]

#### **1. Citation**

These Regulations may be cited as the Police Regulations.

#### **2. Regulations to be studied**

All members of the Force shall make themselves acquainted with these Regulations.

#### **3. Objects and duties of Force**

(1) The primary function of the Force is the prevention of crime, which is of even greater importance than the detection and arrest of criminals, and to this end the efforts of the said Force shall chiefly be directed.

(2) The duties of the Force shall be as set out in section 12 of the Act.

#### **4. Impartiality**

Members of the Force shall pursue a steady and impartial line of conduct in the discharge of their duties, and shall avoid any public expression of political and sectarian opinions.

#### **5. Public meetings**

No member of the Force shall institute or take part in any procession, demonstration or meeting, except with the permission of the Commissioner.

#### **6. Presentation and addresses**

No member of the Force shall receive from any member or members of inferior rank, any present, complimentary address or other congratulatory expression, neither shall he receive any reward from any member of the public without the express permission of the Commissioner.

#### **7. Altercation to be avoided**

Members of the Force shall studiously avoid any argument with the public on matters of duty, but any information or suggestions offered to them shall be courteously received.

**8. Orders and comments**

(1) Every member of the Force shall receive the commands of his superiors with deference, and execute them to the best of his ability and every superior shall give his orders clearly and in temperate language.

(2) No member of the Force shall comment upon the orders or official conduct of a superior officer.

**9. Reprimand of non-commissioned officers**

Non-commissioned officers shall not be reprimanded by any officer in the presence or hearing of constables, unless it is necessary in the interest of discipline that the reprimand should be public.

**10. Communication with press and public**

No member of the Force shall discuss with any member of the press or public, matters dealing with discipline, punishments, resignations, dismissals or any other matter pertaining to the Force.

**11. Indebtedness**

(1) Members of the Force are forbidden to contract debts which they are unable to discharge.

(2) Any non-commissioned officer and any constable who incurs any debt at any shop or store for goods taken on credit shall pay for the same within three months from the date of incurring such debt. Failure to observe this regulation will, on complaint by the creditor, render the non-commissioned officer or constable liable to punishment for a breach of section 17(1)(s) of the Act.

(3) Any special arrangements made by non-commissioned officers and constables with creditors may be taken into account when dealing with a charge of this nature.

**12. Friendly societies, unions, etc.**

No member of the Force shall become a member of any trade union, or being a member on enrolment remain as such except with the sanction in writing of the Governor-General.

**13. Complaints**

Any member of the Force desiring to make a complaint shall complain to his immediate superior officer, and if he considers himself wronged by his superior officer, either in respect of his complaint not being redressed or in respect of any other matter, he may complain to higher authority.

**14. Presence in liquor shops**

No member of the Force shall visit any shop in which intoxicating liquors are sold except he is there on duty or is on vacation or pass leave.

**15. Habitual inattention or apathy**

The Commissioner will not consider for promotion, and may, with the sanction of the Governor-General, refuse to re-engage any non-commissioned officer or constable who shall manifest either a quarrelsome disposition, want of courage, talent or zeal or shall evince continual apathy in the discharge of his duties.

#### **16. Drunkenness**

Any non-commissioned officer or constable found drunk when on duty or in uniform on the street shall be taken to the nearest police station and placed under “open arrest”. If the non-commissioned officer or constable is guilty of obscene or disorderly conduct he shall, if necessary, be placed in a cell.

#### *Commissioner of Police*

#### **17. Commissioner responsible to Governor-General**

The Commissioner shall be under the immediate direction and command of the Governor-General, and all other ranks shall be under the command of the Commissioner.

#### **18. Duties**

(1) The Commissioner shall be responsible for the maintenance of order throughout Saint Vincent and the Grenadines and for the proper performance of all duties by the officers, non-commissioned officers and constables under his command.

(2) He shall be charged with the immediate Supervision of the districts, stations, arms, appointments, clothing, canteen, and general equipment and shall exercise a vigilant superintendence over the performance of all duties.

(3) He shall issue such orders, from time to time, as may in his discretion seem necessary and shall report to the Governor-General all matters connected with the duties of his department calling for observation.

(4) He shall instruct the non-commissioned officers and constables in their duties as well as train them in the use of arms.

#### **19. Residence**

The Commissioner shall reside in the quarters provided for him for that purpose or in such other quarters as may be approved by the Governor-General.

#### **20. Action in event of serious crime**

In the event of any serious outrage or apprehended violation of the law the Commissioner shall repair forthwith to the spot with an adequate force.

#### **21. Reports**

The Commissioner shall communicate to the Governor-General as promptly as possible, all information of consequence affecting the tranquillity of Saint Vincent and the Grenadines and relating to the commission of all serious crimes.

#### **22. Action at fire**

The Commissioner in his capacity as Superintendent of the Fire Brigade shall, immediately he becomes aware of a fire, repair to the scene and take command of the Fire Brigade and police assembled. He shall collect on the spot all available information relating to the cause of the fire, and forward a full report as soon as possible thereafter to the Governor-General.

### **23. Rewards**

If the perpetrators of an outrage have escaped and the Commissioner shall think it desirable that a reward be offered, by proclamation or otherwise, for information which may lead to their discovery, he shall state his opinion to that effect in his report to the Governor-General, and he shall mention the sum he considers adequate.

### **24. Inspections**

(1) The Commissioner shall inspect non-commissioned officers and constables, police stations, arms and diaries, as often as he may think fit:

Provided that the stations on the mainland shall be visited at least once in each month, and those in the Grenadines at least once in each period of six months. He shall record the date and particulars of his inspection in the Departmental Visitors Book.

(2) Non-commissioned officers and constables are strictly prohibited from communicating to other stations the probability of the Commissioner being on his way to inspect them.

### **25. Promotions**

No non-commissioned officer or constable will be promoted who does not possess a competent knowledge of police duties, drill, and a thorough knowledge of all standing orders and regulations. Mere length of service or a high percentage of marks in examination will not by themselves constitute eligibility for promotion, but the suitability of an individual in all respects will be the determining factor.

### **26. Attendance at court**

The Commissioner shall attend in uniform all sittings of the High Court in its criminal jurisdiction when he is not employed on more important duty.

### **27. Disposal of articles**

(1) The Commissioner shall dispose of articles deposited by the finders of such articles at police stations, or articles retained in respect of convictions for unlawful possession, by delivery of such articles to the owners, (proved so to be to his satisfaction) or by sale or by destruction.

(2) All sales shall be conducted by auction after full details of the articles have been published in the *Gazette* for a period of one month.

(3) The proceeds of sales and all money included among the aforesaid articles shall be paid into the Treasury.

*Deputy Commissioner of Police*

### **28. Duties**

The Deputy Commissioner shall be charged with the general supervision of the non-commissioned officers and constables and shall be responsible to the Commissioner for the carrying out of all orders, and the proper performance of and attention to the same by the non-commissioned officers and constables, and shall report without delay any irregularity which may occur. He shall be in immediate charge of the training of the non-commissioned officers and constables in the use of arms and shall at every available opportunity lecture and instruct all ranks not on duty in all branches of police work. He shall be responsible for the training of police personnel in fire brigade duties.

**29. Deputy Commissioner to act in absence of Commissioner**

The Deputy Commissioner shall perform all the duties of the Commissioner, unless otherwise directed, when that officer is absent on duty, illness or leave.

**30. Residence**

The Deputy Commissioner shall live within the boundaries of Kingstown, and shall not be absent therefrom, except on duty, without first notifying the station orderly, at police headquarters, of his whereabouts.

**31. Inspection**

The Deputy Commissioner shall inspect district police stations from time to time as often as he may think fit.

*Non-Commissioned Officers***32. Obedience to orders of superior officers**

Non-commissioned officers shall pay implicit and respectful obedience to the commands of their superior officers, and shall show the constables serving under them a uniform example of orderly and proper conduct, and of zeal, promptitude and fidelity in the execution of duty.

**33. Borrowing from junior ranks prohibited**

No non-commissioned officer shall borrow money from or have any pecuniary transaction with junior ranks in the Force.

**34. Duties**

Non-commissioned officers shall be responsible for the appearance of the station and constables, the state of their arms and ammunition, and every article of public property committed to their charge. They shall at all times show an example of neatness in their own dress and of perfect cleanliness in their persons and quarters, and shall report immediately to his superior officer any disobedience to orders or neglect of duty which may come to their notice.

*Assistant Superintendent***35. Status**

The Assistant Superintendent shall be in charge of the Windward district stations of Georgetown, Colonarie, Stubbs, Mesopotamia and Biabou, and any other station which may, from time to time, be added to his district.

### **36. Residence**

The Assistant Superintendent shall reside at Georgetown and have his headquarters at Georgetown police station.

### **37. Duties**

The Assistant Superintendent shall—

- (a) be primarily responsible for the prevention, detection and investigation of crime in his area but may, when necessary, seek the advice of the Commissioner or Deputy Commissioner, or request their assistance in any case presenting more than ordinary difficulty;
- (b) appear and prosecute cases for the police at the magistrates' court in his district as often as possible and when requested to do so by the Commissioner;
- (c) immediately inform the Commissioner or, in his absence, the Deputy Commissioner, of any serious crime reported in his area and shall be responsible for the prompt submission of intelligence of every occurrence involving the safety of persons and property and affecting the public peace in his district;
- (d) be responsible for informing the Commissioner of the formation of new societies and of the organisation and expansion of existing ones, of the movements of agitators and political leaders and particulars of political propaganda, in his area;
- (e) inspect every station in his district once in every month and pay a surprise visit in addition each month;
- (f) ensure that every complaint made to a station in his district is duly recorded and properly and fully investigated, and in important criminal cases he shall visit the scene of the crime himself and supervise the investigations;
- (g) properly investigate every complaint made against the police under his control, and take such action in connection therewith as may be necessary;
- (h) ensure that all standing orders are strictly adhered to and that the parades and lectures laid down therein are carried out;
- (i) conduct a kit inspection in each station once a month on his visits of inspection;
- (j) visit the owners or managers of all estates in his area once in every month, and at such other times as may be necessary, for the purpose of discussing any problems or receiving any complaints in relation to his duties as a peace officer. A report on such visits shall be submitted to the Commissioner for his information and for filing.

*Sergeant Major*

### **38. Duties**

The Sergeant Major shall—

- (a) be responsible to the Commissioner for the good behaviour and discipline of the non-commissioned officers and constables in barracks and will report immediately all cases of unseemly conduct or indiscipline;
- (b) while avoiding undue familiarity, associate himself with non-commissioned officers and constables to an extent necessary to enable him to obtain such knowledge of their characters as may prove to be advantageous to the service;
- (c) be thoroughly conversant with all orders issued and shall see that these orders are published to and obeyed by the rank and file of the Force;
- (d) be responsible that the barracks are clean and tidy at all times and shall supervise the magazine, armoury, canteen and mess rooms;
- (e) when any charge or complaint is made against any non-commissioned officer or constable, if the charge is considered by him to be of sufficient gravity, suspend the individual from duty, and either confine him or place him under open or close arrest in barracks until the charge or complaint is finally disposed of by proper authority;
- (f) inspect the barracks, mess rooms, bathrooms and lavatories daily, and shall make a report in the station diary of any damage, want of cleanliness or irregularity he may have observed therein;
- (g) collect the morning reports and place them before the officer or officers concerned;
- (h) arrange to have all prisoners and witnesses at the orderly room at the proper time.

### **39. Residence**

The Sergeant Major shall sleep for two nights of each week at police headquarters unless otherwise given special permission by the Commissioner and shall reside within the limits of the town.

#### *Station Sergeant*

### **40. Duties**

The Station Sergeant shall—

- (a) have the immediate supervision of all personnel posted to police headquarters;
- (b) be responsible to the Commissioner for the distribution of duty of the non-commissioned officers and constables under his supervision, and shall so distribute them that, while ensuring the preservation of order in the community and the detection of crime, they will be relieved from unnecessary labour and fatigue;
- (c) have the custody and supervision of the diary and all the station books and see that they are properly kept and indexed;
- (d) initial daily all books in use, and report to the Deputy Commissioner each morning that this has been done;

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- (e) be responsible for seeing that all men going on duty are paraded, conduct a daily inspection of the men employed on beat duty and patrol at night at least on four occasions in each week;
- (f) sleep for two nights of each week at police headquarters.

*Sergeants***41. Duties**

Sergeants shall perform such duties as shall be detailed to them by the Commissioner or Deputy Commissioner.

**42. Residence**

Sergeants shall sleep for two nights of each week at police headquarters.

*Detective Sergeant***43. Duties**

The Detective Sergeant shall—

- (a) be in charge of the detective department under the orders of the Commissioner and shall have such number of detective non-commissioned officers and men under his immediate orders as shall be approved by the Commissioner;
- (b) be responsible for the investigation of all serious crimes throughout Saint Vincent and the Grenadines and the supervision and instruction of all police personnel carrying out such investigation;
- (c) keep a duty roster of the detectives and detail men for special duty and for patrolling;
- (d) be responsible for compiling and keeping up to date the past criminal records of offenders;
- (e) be responsible for seeing that warrants sent to police headquarters from the magistrate's office are correctly entered in the proper register and then distributed to the appropriate district stations;
- (f) be responsible for the issue of travel permits and also certificates of character;
- (g) perform such other duties as the Commissioner may, from time to time, direct.

*Court Sergeant***44. Duties**

The Court Sergeant shall be responsible for the investigation, preparation and conduct of all police cases brought for preliminary inquiry or trial in the magistrate's court. He shall appear in all matters coming before the coroner of the First District and shall perform such other duties as shall be directed by the Commissioner.

*Non-Commissioned Officer or Constable in Charge of a Station*

**45. Duties**

The non-commissioned officer or constable in charge of a station shall—

- (a) be responsible for the discipline and good conduct of the men of his station;
- (b) be charged with the duty of seeing that all standing orders relating to the supervision, training and work of his men are duly enforced;
- (c) be responsible for the state of his barracks, which shall always be orderly, clean and fit for inspection;
- (d) inspect the barracks daily and check the furniture with the inventory;
- (e) make an immediate report in writing to his station officer of any damage to the barracks or furniture and note the same in the station diary. This report shall state the cause of the damage and who is responsible therefor;
- (f) inspect the kits of his men each Saturday and report deficiencies at once;
- (g) carry out parades and lectures as laid down in standing orders;
- (h) ensure that the patrolling of his area is efficiently carried out and shall himself patrol the whole of his district once in each month;
- (i) when he has to absent himself from his station on duty or otherwise, instruct some other non-commissioned officer to deputise for him at the station, and shall inform him where he is to be found if required, but if for special reasons he does not think it advisable to give this information, he shall write a note as to his movements and leave it with the station orderly in a sealed envelope for the information of his superiors if required;
- (j) be responsible for keeping the arms and ammunition under lock and key when not in use, and for seeing that they are kept clean and serviceable;
- (k) ensure that all persons visiting his station on business are treated with due courtesy and their business attended to without undue delay;
- (l) deal promptly with all correspondence received at the station;
- (m) be responsible for keeping the books and registers of the station properly filed and up to date;
- (n) on receipt of a report of the commission of a crime, at once visit the scene, unless for special and adequate reasons this is not necessary, and take steps for the detection and arrest of the perpetrators;
- (o) report all serious crimes as quickly as possible to his district headquarters or duty officer at police headquarters, Kingstown, and shall proceed with the investigation thereof pending the arrival of a superior officer;
- (p) investigate and prosecute all minor offences but shall seek the advice of a superior officer in any case of difficulty;
- (q) himself maintain the crime register;
- (r) endeavour to see all members of his formation acquire a good local knowledge of places, persons, customs and recurring events of note, the nature of the crimes prevalent in the area, and all persons suspected of, or likely to commit, crime, and shall issue specific instructions to new arrivals at his station in regard to these matters;
- (s) if he has to leave his station for any reason for more than three days hand over all records and public property to his successor or to the next senior

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member of the party. This handing over shall be recorded in the station diary and the entry signed by himself and the person who takes over;

- (t) or, in his absence, his deputy, carefully read over each morning the entries in the station diary for each twenty-four hours terminating at 7.00 a.m. and certify in the margin that he has done so and that he believes them to be a true account of the events therein referred to, to the best of his knowledge, information and belief. He shall then sign such certificate;
- (u) call the roll at 11.00 p.m. daily and a record of this shall be placed in the station diary, together with the numbers present and the absentees who shall be accounted for;
- (v) be responsible for giving the men due warning for duty, and where the strength permits, a duty slip for each twenty four hours commencing at 6.00 a.m. daily shall be posted on the notice board by 6.00 p.m. of the previous day;
- (w) report all breaches of discipline to his superior officer and record the details in the station diary, and shall warn the person concerned as early as possible that he is being reported and give the reason for such report;
- (x) in serious cases of insubordination, relieve the offender of duty and make his report at once for instructions;
- (y) visit and check all licensed premises in his district at least once a month.

*Detectives***46. Secrecy**

(1) Detectives shall not communicate their movements or proceedings except to their immediate superiors under whom they have to act.

(2) Members of the uniformed branch of the Force shall never speak to or appear to recognise detectives unless the latter first address them.

(3) Detectives when employed in plain clothes shall not salute officers of the Force or other individuals entitled to this mark of respect.

**47. Unjustifiable means of detection prohibited**

Detectives shall bear in mind that however desirable it may be to prevent the commission of crime and other offences against the law, not even the most culpable shall be proceeded against from questionable motives or by unjustifiable means.

**48. Assistance from the Force**

All members of the Force shall afford every possible information and assistance to detectives in the discharge of their important and difficult duties.

*The Station Orderly***49. Appearance of station orderly**

The constable on duty shall always be properly dressed when employed as station orderly.

**50. Duties**

The station orderly shall—

- (a) immediately report all messages received by him to the proper authority so that the necessary action may be taken without loss of time;
- (b) record the in-comings and out-goings of each individual who enters or leaves the station together with a short statement as to his business, complaint or duty;
- (c) ensure that in no circumstances will civilian or police personnel be allowed to loiter in the charge room;
- (d) when a senior non-commissioned officer is absent, closely scrutinise police personnel proceeding on duty in order to see that they are properly turned out;
- (e) during his tour of duty be responsible for the charge room and charge desk, and see that they are kept scrupulously clean and tidy;
- (f) be solely responsible for the station diary and the proper recording therein of every item connected with the station;
- (g) not leave the charge room for any reason whatever, except for taking his meals, when another man will be found to relieve him, in which case an entry must be made in the diary;
- (h) pay half-hourly visits to all prisoners in the cells during the night and in the case of persons arrested for drunkenness, every fifteen minutes, and a note shall be made in the diary to this effect;
- (i) despatch all official mails, telegrams, documents and correspondence to police headquarters office promptly;
- (j) despatch telegrams and mails to the Governor-General by special orderly;
- (k) be in charge of the station regardless of his seniority, unless a non-commissioned officer is present or a senior constable has been left in charge of the station.

*The Duty Non-Commissioned Officer***51. Duties**

A duty non-commissioned officer shall—

- (a) be on duty daily at police headquarters during the following hours—
  - Sundays and holidays - 6.00 a.m. – 2.00 p.m.
  - 2.00 p.m. – 10.00 p.m.
  - 10.00 p.m. – 6.00 a.m.
  - Wednesdays - 1.00 p.m. – 6.00 a.m.
  - Other days 4.00 p.m. – 6.00 a.m.;
- (b) during his tour of duty remain in police headquarters and on no account whatever shall he leave his post unless ordered to do so by an officer;
- (c) be responsible for—

- (i) seeing that all reports are immediately investigated,
- (ii) keeping the Commissioner or Deputy Commissioner informed immediately of all serious crimes or other matters affecting public security,
- (iii) the general order and discipline of non-commissioned officers and men at police headquarters during his tour of duty,
- (iv) seeing that all crimes or matters affecting the public peace, accidents and other matters of police interest, reported at police headquarters during the hours on which he is on duty, are reported to him immediately for his instructions.

### *Constables*

#### **52. Duty to preserve peace**

Every member of the Force shall use his best endeavours in preserving the peace, preventing robberies and other offences, and apprehending offenders against the law. In discharging these duties he shall act with great caution and prudence.

#### **53. Constables whole time officials**

Every constable shall devote his whole time to his official duties. He shall not carry on any trade or business or lend money to anyone, including his fellow constables.

#### **54. Residence**

He shall serve in the district, and reside at whatever station to which he is appointed.

#### **55. Beat duty at night**

A constable on beat duty at night shall check all doors and windows of the houses, stores or shops on his beat and see that they are properly fastened. He shall report any irregularity to the occupier of the premises if resident therein; and if not so resident, he shall secure the premises to the best of his ability and remain on the spot until the arrival of the patrolling non-commissioned officer.

#### **56. Constable to be on the alert on beat**

A constable shall move up and down his beat with regularity and in an alert and vigilant manner, but shall remain at any particular place if his presence there is necessary for observing the conduct of any suspected person or for any other good reason. He shall give his assistance for the protection of persons and property near his beat if called in any case requiring immediate attention, but shall return as early as possible to his own beat, and shall, if called for, satisfy his officer or non-commissioned officer that there was sufficient cause for such apparent irregularity. He shall under no circumstances enter any house while on patrol or guard, except in the immediate execution of his duty, nor shall he stop or talk with any other constable or with any person except on matters relating to police duty, and his whole attention shall be devoted to the duty for which he was placed on the post.

#### **57. Constable to be temperate in language and behaviour**

A constable shall—

- (a) be particularly cautious not to interfere unnecessarily with the public or to use any irritating language or expression even towards those who may be offending against the law;
- (b) answer any questions put to him in civil tone and in a courteous manner;
- (c) refrain from striking or using force towards any person in charge, other than may be absolutely necessary for safe custody and strictly in his own defence;
- (d) act with decision and boldness, but with good temper and discretion, and shall never suffer himself to be moved in the slightest degree by any language or threats which may be used;
- (e) ignore silly or ignorant observations directed towards him.

#### **58. Preservation of order at theatres**

The constable on duty at theatres, public places of amusement and private parties shall allow only servants who are in attendance thereat or waiting for their employers to remain near the doors. Persons having no lawful business at these places shall not be allowed to remain so as to cause obstruction to the thoroughfares or inconvenience to the public. The constables employed to regulate vehicles on such occasions shall not speak to servants or other persons in charge of them in a tone or manner calculated to give offence or provoke resistance, but shall give all directions in civil and firm manner.

#### **59. Fires**

In case of an outbreak of fire the constable at the spot shall give immediate alarm and as soon as possible shall send information to the station; and until the arrival of a superior officer, he shall use his best endeavours in keeping the ground near the fire clear, assisting in saving life, removing property, and giving notice to the engine keeper, turncocks and other persons. No constable who is at any distance from the fire shall leave his beat.

#### **60. Attempts to disarm, etc., police**

The police shall at all times observe the utmost caution and forbearance in using their arms, but if an attempt be made to force an entrance into their stations or barracks, or to rescue prisoners who may be in their charge, or to deprive them of their arms, they shall in these purely defensive situations act with the utmost firmness and determination, and resist by every means in their power the loss of their quarters, their prisoners or their arms.

#### **61. Conduct in shop or licensed premises**

No refreshment of any kind shall be partaken of by a constable in a public house or shop except on payment by himself.

#### **62. Gambling**

A member of the Force shall not play for money at billiards or any game of cards, or indulge in any other form of gambling in a police station or public house, or meet anywhere for the purpose of gambling.

**63. Prohibition against divulging information**

Any member of the Force who—

- (a) gives notice or information or otherwise causes to be intimated either directly or indirectly to any person for or against whom there is any warrant or order;
- (b) divulges any circumstances or information which it is his duty to keep secret;
- (c) knowing where any offender is residing or concealed, does not immediately inform his superior officer of the same;
- (d) fails or neglects to take due and prompt measures for the arrest of such person;
- (e) wilfully or through negligence allows any person in his custody to escape; or
- (f) leaves any post on which he has been placed as sentry or on patrol or other duty,

is guilty of a breach of discipline and liable to punishment and dismissal.

**64. Rewards without permission prohibited**

Members of the Force shall not receive any reward or gratuity without the express permission of the Commissioner who shall satisfy himself that no solicitation, direct or indirect, has been made to the persons by whom the reward is offered.

**65. Fines, etc., to be paid into Reward Fund**

(1) All fines, forfeitures and penalties imposed upon any member of the Force under the provisions of the Act or of these Regulations shall be paid over to the Commissioner and credited by him to the Police Reward Fund.

(2) The Fund shall be appropriated, subject to the approval of the Governor-General, to the payment of rewards for specially meritorious service, or the payment of gratuities to the widows and orphans of men of long service and good character or of men who may succumb to injuries received in the execution of their duty, to the purchase of articles for the benefit or diversion of the members of the Force, and for such other objects as may be recommended by the Commissioner.

**66. Complaints to be forwarded through superior officer**

(1) All requests or complaints made by a constable shall be forwarded through his superior officer.

(2) Frivolous or groundless complaints, either against his comrades or superior officers or complaints made more than twenty four hours after the alleged offence has been committed will be disregarded.

**67. Anonymous communications forbidden**

A constable shall not send any anonymous communications to a superior officer or to the Government, nor may he either directly or indirectly supply the public, press or any person or persons, either anonymously or otherwise, with any matter or thing relating to the Force or the detection of crime or offenders.

**68. Communications to the press forbidden**

(1) Members of the Force shall not publish or communicate with the press or any person or persons other than their superior officers, either directly or indirectly, any information relating to any matter or matters concerning the Force.

(2) Members of the Force shall inform their immediate superior officer of all applications or communications received by them from any person or persons for information regarding any matter affecting the Force, the public or any person or persons.

#### **69. Reward for meritorious service**

Constables who distinguish themselves by any act deserving of reward may be promoted without regard to length of service, or the branch of the Force to which they may be attached.

#### **70. Appointments to be returned on resignation**

When any member of the Force has been dismissed or discharged, or has been permitted to resign, he shall at once return to his superior officer all arms, ammunition, accoutrements, clothing or other appointments belonging to the public, and shall not thereafter wear or assume the dress, name, designation or description of an officer, non-commissioned officer or constable.

#### **71. Transport expenses of wives and families**

(1) When a married non-commissioned officer or constable is transferred from one station to another he shall inform the Commissioner whether his wife and family are accompanying him, so that arrangements may be made for the transport of his family and personal effects.

(2) The expenses of married non-commissioned officers and constables on transfer in regard to their families and effects shall not be allowed unless they have served for a period of five years, save in special circumstances and with the sanction of the Governor-General.

(3) Transport expenses will only be allowed for a fair and reasonable quantity of private baggage and effects.

#### *Duties in Court of Law*

#### **72. Conduct of cases**

(1) Whenever a non-commissioned officer or constable makes an arrest in any case of importance or in case of any assault on such non-commissioned officer or constable, he shall report it at once to the Deputy Commissioner.

(2) He shall be responsible for summoning all witnesses and for the production in court of all stolen property, documents, or articles material to the case on the day of hearing, and if the case be referred to the High Court for trial, he shall arrange for the said property, documents, or articles to be properly labelled and initialled by the magistrate.

(3) The non-commissioned officer or constable shall hand the said property, documents or articles to the non-commissioned officer in charge of the station, who shall be responsible for their safe custody until they are delivered back to the non-commissioned officer or constable for production at the trial.

(4) The non-commissioned officer in charge at the High Court shall satisfy himself that all exhibits to be produced in evidence are in court before the opening thereof and shall report accordingly to the officer on duty in court.

### **73. Information to be checked**

No information shall be laid by any member of the Force until it has been submitted to the non-commissioned officer in charge, who shall enquire into each case before sanctioning a prosecution.

### **74. Evidence of police**

The non-commissioned officer in charge at a magistrate's court shall see that the non-commissioned officer and constables who attend the court to prosecute or give evidence in police cases give their evidence in a proper and straight-forward manner. Any non-commissioned officer or constable who gives evidence in an improper manner or in a spirit of vindictiveness shall be reported at once to the Deputy Commissioner who shall bring the case to the notice of the Commissioner.

### **75. Comments of magistrate**

Whenever the presiding magistrate makes remarks either of a favourable or unfavourable nature on the conduct or evidence of any member of the Force, the senior commissioned officer or non-commissioned officer present shall at once report the matter to the Deputy Commissioner for the information of the Commissioner, who shall decide whether an entry is to be made on the conduct sheet of such a member.

### **76. Constables who are witnesses to be paraded**

(1) Constables required to give evidence in court shall be duly warned and paraded for that duty.

(2) On arrival of a judge or magistrate in court, all members of the Force shall immediately rise, if sitting, and continue standing at attention until the judge and magistrate is seated. They shall not disturb the court by talking or in any other manner.

### **77. Manner of giving evidence**

A non-commissioned officer or constable shall—

- (a) on being sworn prior to giving his evidence proper, state in a distinct tone of voice his name and number, the date, time and place of the occurrence which is the subject matter of the charge under investigation;
- (b) maintain an upright stance and respectful demeanour in the witness box;
- (c) avoid slang expressions and speak in a clear and audible voice;
- (d) confine himself strictly to the facts of the case before the court;
- (e) avoid any expression of his own opinions except when sought by the court or counsel;
- (f) have in his possession any notes of events or circumstances made at the time of the occurrence, but shall not refer thereto without permission of the court;
- (g) avoid any reference to previous conviction against an accused person except when called upon by the court to do so;

- (h) give his evidence in a concise, truthful and impartial manner;
- (i) maintain a polite and truthful demeanour under cross examination.

**78. Notice of appeal**

(1) On the receipt of a notice of appeal, the officer or non-commissioned officer concerned shall at once make application to the magistrate for a copy of the proceedings, at the same time forwarding the original notice of appeal and a copy of his application of to the Commissioner for transmission to the Director of Public Prosecutions to whom the copy of the proceedings shall also be sent as soon as received.

(2) When the police give notice of appeal a copy of the proceedings shall at once be applied for and forwarded to the proper quarter.

**79. Travelling expenses, etc., of police witnesses**

(1) In all cases brought by the police, the prosecuting officer shall ascertain the actual out-of-pocket and travelling expenses of witnesses who appear for the police and shall apply for the same at the time to the magistrate on their behalf.

(2) Claims for compensation of such witnesses shall be submitted, if they appear reasonable, with a full report by the prosecuting officer to the magistrate.

*Beats and Patrols***80. Beats**

In Kingstown, beat duty shall be done in three reliefs of non-commissioned officers and constables as follows—

- (a) First Relief, 6.00 a.m. to 10.00 a.m. and 2.00 p.m. to 6.00 p.m.;
- (b) Second Relief, 10.00 a.m. to 2.00 p.m. and 10.00 p.m. to 2.00 a.m.;
- (c) Third Relief, 6.00 p.m. to 10.00 p.m. and 2.00 a.m. to 6.00 a.m.

**81. Reliefs**

The station sergeant, the station orderly or the senior non-commissioned officer present shall inspect each relief before going out, in order to ascertain if the men are properly equipped for duty. The non-commissioned officer in charge of the relief shall then march them off and place them on their beats, and shall visit them regularly while on duty and make a daily report of such visits to the station orderly. When the men are relieved they shall be marched back to the station, where they shall be inspected by the non-commissioned officer in charge, who shall report any thing wrong which he may observe about them.

**82. Duties of constables on beat**

- (1) A constable before taking charge of his beat shall—
  - (a) inquire of the man whom he is about to relieve as to the state and condition of the beat, and shall note his reply in his memorandum book;
  - (b) enter in his memorandum book the hour of each visit by the non-commissioned officer superintending the beats;

- (c) visit every part of his beat in the time allowed for that purpose;
- (d) when going his rounds at night, make a careful inspection of all premises and if he find any insecure or open, if it be a dwelling house, he shall awaken the occupants and cause the premises to be secured, and if the premises be not occupied he shall report to the non-commissioned officer visiting him;
- (e) on being relieved, report the state of his beat to the constable relieving him;
- (f) not loiter near each other, not gossip nor hold any conversation with other constables or civilians except on matters of duty, and in such circumstances the conversation shall be as short as possible.

**83. Patrols**

A system of patrols by night as well as by day in the outskirts of Kingstown and in the country districts is of the utmost importance and non-commissioned officers in charge of stations shall see that this practice is observed when the strength of their units permits it.

*Prisoners and Escorts***84. Strength of escorts**

The strength of escorts provided for the removal of convicted prisoners, except such as may be conveyed in a prison van, shall be regulated as follows—

- (a) when a single prisoner is being escorted he shall be sent in the custody of a single constable; two or more prisoners up to five shall be accompanied by two constables, and for every additional five prisoners one extra constable shall be sent. If possible a non-commissioned officer shall always accompany a constable except in the case of a single prisoner;
- (b) in the case of prisoners reported to be particularly dangerous or unruly, additional men may be sent.

**85. Committal warrants**

No member of the Force shall take charge of a prisoner after conviction without a committal warrant nor shall they, save as hereinafter mentioned, surrender such warrants. If a court issue an incorrect committal warrant and subsequently sends a revised warrant to the custodian of a prisoner, the original warrant shall not be given back except by order of the Commissioner.

**86. Questioning prisoners**

(1) When a member of the Force is endeavouring to discover the author of a crime, there is no objection to his putting questions in respect thereof to any person or persons, whether suspected or not, from whom he thinks useful information may be obtained.

(2) When a member of the Force has made up his mind to charge a person with a crime, he shall first caution such person before asking any questions or any further questions as the case may be.

(3) Persons in custody shall not be questioned without the usual caution being first administered.

(4) If a prisoner wishes to volunteer any statement the usual caution shall be administered.

(5) The caution to be administered to a prisoner when he is formally charged, shall be in the following words: “Do you wish to say anything in answer to the charge? You are not obliged to say anything unless you wish to do so, but whatever you say will be taken down in writing and may be given in evidence”.

(6) When two or more persons are charged with the same offence and statements are taken separately from the persons charged, such statements shall not be read to the other person or persons charged, but each of such person shall be furnished with a copy of the statements made by the other person or persons, and nothing shall be said or done or invite a reply thereto. If the person charged desire to make a statement in reply, the usual caution shall thereupon be again administered.

(7) Any statement made in accordance with the above rules shall, whenever possible, be taken down in writing and signed by the person making it after it has been read to him and he has been invited to make any corrections he may wish. The statement shall also be certified and signed by the person by whom it was taken down.

#### **87. Use of handcuffs**

(1) Every escort shall be provided with handcuffs which may be used in cases of emergency.

(2) Handcuffs shall never be used except in cases of necessity, when a prisoner is violent and likely to attempt to escape, or if the number of prisoners to be conveyed, or the special circumstances, render such precautions necessary to prevent a rescue.

(3) In conveying a prisoner, by bus or otherwise, the use of handcuffs shall depend on whether he is likely to escape, and whether his attempt would be likely to succeed by reason of his superior strength or the fatigue of the constable.

(4) A person apprehended for any indictable offence may be handcuffed as provided in subregulation (2).

(5) A person apprehended for any offence punishable on summary conviction shall not be handcuffed, except in the circumstances mentioned in subregulation (2).

(6) Prisoners shall not be subjected to avoidable degradation, and if the use of handcuffs becomes necessary to prevent escape rather than violence the constable shall fasten one bracelet to his own left wrist and the other to the prisoners right wrist.

(7) A person being removed by water shall not be handcuffed, if it is possible to avoid doing so. If such action becomes absolutely necessary, every precaution shall be taken to prevent him from jumping overboard and being drowned by his own act while he is handcuffed.

#### *Riot*

#### **88. Presence of magistrate at riots**

It is the duty of the police on hearing of a riotous or tumultuous assembly to apply for and to secure the attendance of a magistrate or justice of the peace: but if the occasion demands immediate action and no opportunity is given for procuring such attendance, then it is the duty of the police to act for themselves and upon their own responsibility, in dispersing such assembly.

**89. Proclamation in case of riot**

(1) A copy of the proclamation in subregulation (2) shall be taken to the riot by each officer and non-commissioned officer proceeding thither.

(2) The proclamation shall be in the following words—

“Our Sovereign Lady the Queen charges and commands all persons being assembled, immediately to disperse themselves, and peaceably to depart to their habitations or to their lawful business, upon the pain of being guilty of an offence, on conviction for which they may be sentenced to imprisonment for life. God Save the Queen.”

**90. Firing on mobs, etc.**

(1) Whenever the necessity for firing shall arise, the firing shall, in order to obtain the most effective results, be directed at the leaders of the riot or the assailants of the police. Firing over the heads of the rioters is expressly forbidden as this may give confidence to the daring and the guilty, and cause injury to innocent persons in their rear. Care should be taken not to fire upon persons separated from, or not assisting, the rioters or assailants, and if time and circumstances permit, the rioters shall be warned that it is intended to fire upon them unless they desist. Blank cartridges shall in no circumstances be used.

(2) Whenever members of the Force, acting under a magistrate, shall receive directions to fire they shall not do so except by regular word of command from the senior officer, warrant officer or non-commissioned officer in charge; and the officer, warrant officer or non-commissioned officer shall not give the word of command to fire unless distinctly required to do so by the magistrate, under whose authority he is acting. In cases where there is no magistrate present and the police may be obliged to fire in their own defence, they shall not do so without the express order of the officer, warrant officer or non-commissioned officer in charge. In all cases the officer, warrant officer or non-commissioned officer in command shall exercise the utmost forbearance consistent with the safety of his party before giving the order to fire, and shall exercise a humane discretion as to the extent of such firing. No firing shall take place after the necessity for it has ceased to exist, whether the magistrate orders the cessation or not.

(3) In all cases in which the men are directed to fire, the officer, warrant officer or non-commissioned officer in charge, if he be of the opinion that a slight effort will be sufficient to attain the object, shall order only one or two files to fire and the fire of the others shall be kept in reserve. He shall always state the number of rounds that are to be fired.

**91. Unauthorised firing**

(1) If a shot shall be fired by a member of the firing party without being ordered to do so, or after an order to cease firing shall have been given, the officer, warrant officer or non-commissioned officer in command shall immediately ascertain by whom it was fired and place him under arrest. A special report of the circumstances shall be made, as soon as possible thereafter to the Governor-General.

(2) Members of the Force shall constantly bear in mind that however well justified a constable may consider himself to be in firing, his act, with all its accompanying circumstances, whether attended by loss of life or not, may become the subject of legal investigation, and he will be called upon to justify his action.

**92. Unlawful assembly**

If the Commissioner receives information on oath, or has reasonable cause to suspect, that any meeting or assembly is being held for the purpose of exciting or stirring up any persons to commit any act of insurrection or sedition, or to obtain otherwise than by lawful means any alteration or change in the constitution or Government of Saint Vincent and the Grenadines as by law established or for any other seditious purpose, he shall forthwith proceed to the place where the meeting is being held, accompanied if possible by a magistrate and with such force of police as he shall deem advisable, and shall order and direct in Her Majesty's name, all persons he finds there assembled peaceably to depart and disperse, and if any persons, notwithstanding they have been so ordered to disperse, continue together for fifteen minutes, they may be taken into custody; and any person resisting the police in the execution of their duty or attempting to do so may likewise be arrested and detained. A full report of all such meetings and arrests shall immediately be made to the Governor-General.

#### *Miscellaneous Duties*

### **93. Obstruction in streets**

(1) A member of the Force shall warn any person or persons obstructing in any street the passage of any other person or persons or any vehicle, to move on and if such person or persons after having been so warned shall continue to obstruct, he or they may be arrested and charged with obstruction.

(2) The police shall take care to provide themselves whenever possible with witnesses to prove that person so arrested were causing an obstruction and that they were ordered to move on before they were arrested.

### **94. Medical aid at accidents**

In cases of accidents when medical assistance is urgently required and the services of the district medical officer are not immediately obtainable, the senior member of the Force present may call in the services of the nearest medical practitioner, whose fee for attendance may be paid from public funds on proof to the satisfaction of the Commissioner that such attendance was necessary, that the injured person is not in a position to pay for such attendance and that due endeavour had been made to obtain the services of the district medical officer. Any member of the Force failing to observe these conditions who shall summon any medical practitioner may be surcharged with the payment of the practitioner's fee.

### **95. Fires**

In case of fire, it shall be the duty of all available members of the Force to fall in as rapidly as possible, by day or by night, at the sound of the "Fire Alarm" and to proceed with all despatch to the scene of the fire.

### **96. Excise prosecutions**

Before any prosecution is commenced for breach of the excise laws, a "form of particulars" of the case shall be filled in and forwarded to police headquarters for transmission to the Comptroller of Customs and Excise who may give such instructions thereon in writing as he may deem necessary, and no such prosecution shall be instituted without such instructions.

### **97. Licences for new premises**

All premises for which new licences to deal in spirits, agricultural produce, old metal, and other licensable articles are sought shall be personally examined by the commissioned or non-commissioned officer in charge of the station in the district for which the application is made, and if the premises appear to be unsuitable for the purpose for which the licence is sought the application shall be opposed by the police.

**98. Rape**

(1) In all case of rape, the person ravished shall, with her consent, be examined by a medical practitioner as soon as possible after the alleged offence.

(2) Steps shall be taken in every case of rape in which the girl is above the age of twelve and under the age of thirteen, to prove her age before the magistrate by production of a birth certificate, and by identifying her as the person named in such certificate.

(3) If a certificate cannot be obtained at the preliminary inquiry, a statement shall be made to that effect in the depositions, and information as to the place of birth, names of parents, date of birth and other relevant information shall be obtained to enable an effective search to be made in the records of the Registry.

**99. Property of intestates**

Whenever any member of the Force becomes aware that any person has died, and he has reasonable cause to believe that such person has died intestate and without lawful heirs, he shall at once report the matter, if in Kingstown, to the Commissioner for the information of the Governor-General, and if in the country, to the warrant officer or non-commissioned officer in charge for the immediate information of the Commissioner and until the directions of the Governor-General or Commissioner are obtained, the property of the deceased shall remain in charge of the Force but only in so far as may be necessary to prevent the removal of any portion of the moveable property of such intestate.

**100. Harbour police**

The harbour police shall consist of such non-commissioned officer and men as the Commissioner may, from time to time, direct. The members of the harbour police shall, in addition to their ordinary qualifications as members of the Force, be experienced and skilful boatmen and preferably be able to swim.

**101. Report of arrival of warships**

The non-commissioned officer in charge of the harbour police shall report to the Commissioner or Deputy Commissioner when any warship, either Commonwealth or foreign, is signalled between the hours of 6.00 a.m. and 9.00 p.m.

**102. Duties**

In addition to their ordinary duties as constables it shall be the special duty of the harbour police to prevent crime and disorderly behaviour in the harbours of Saint Vincent and the Grenadines and to enforce the harbour and quarantine regulations, to detect and prevent all breaches of the revenue laws and to carry into effect all the orders of the Commissioner in all matters relating to the ports and harbours. They shall maintain order on the quays, wharves and jetties and in the vicinity of the customs houses.

**103. Military training**

The military training of the Force shall be the same as far as possible as is laid down in the handbooks on military training issued for the use of the regular forces.

**104. Recruits**

(1) The course of training for recruits and the classes of instruction for non-commissioned officers and constables shall be detailed from time to time in the orders issued to the Force by the Commissioner.

(2) No recruit shall be allowed to take his place in the ranks until he has satisfied the Commissioner that he has a satisfactory knowledge of every subject taught him and is in every respect thoroughly fit to perform his duties as a member of the Force.

(3) Any recruit who, in the first six months of service, fails to pass the prescribed examination, or who, either from want of intelligence or zeal, is unlikely to become an efficient constable, or who it may be undesirable to retain in the Force, shall be brought before the Commissioner, who may, with the approval of the Governor-General, issue orders for his discharge from the Police Force.

**105. Musketry course**

All members of the Force, unless specially exempt by the Commissioner, shall fire the course of musketry published annually in Force Orders.

**106. Badge for skill at arms**

Badges for proficiency in musketry and signalling shall be awarded annually as far as possible in accordance with the regulations for the regular forces. The names of all winners of badges shall be published in Force Orders.

**107. Prizes for musketry**

(1) Prizes not exceeding a total value of forty-eight dollars shall be awarded annually from the Reward Fund for skill at arms.

(2) The prizes shall be of the following value—

- (a) first prize, sixteen dollars and eighty cents;
- (b) second prize, twelve dollars;
- (c) third prize, nine dollars and sixty cents;
- (d) fourth prize, seven dollars and twenty cents;
- (e) fifth prize, two dollars and forty cents.

**108. Arrest of non-commissioned officer or constable**

A warrant officer, non-commissioned officer or constable may be placed under arrest for the commission of any indictable offence or any serious offence punishable on summary conviction, or for drunkenness, insubordination, disrespectful language to a superior officer, wilful disobedience to a lawful order of a superior officer, sleeping on his post or beating or ill-using any prisoner.

**109. Arrest by junior**

No warrant officer, non-commissioned officer or constable shall be placed under arrest by any other warrant officer, non-commissioned officer or constable inferior in rank to himself except for drunkenness.

#### **110. Equipment of members under arrest**

A warrant officer, non-commissioned officer or constable placed under arrest shall be deprived of his whistle, baton, arms and ammunition (if any) and this equipment shall immediately be handed over to the warrant officer or non-commissioned officer of the guard or station in which he is first placed under arrest.

#### **111. Nature of arrest**

(1) Arrest shall be of two kinds namely “close arrest” and “open arrest”.

(2) A warrant officer, non-commissioned officer or constable under “close arrest” shall not leave his quarters except for such exercise as may be necessary in the interests of his health. Where a guard room is provided or a cell available he shall be confined therein.

(3) A warrant officer, non-commissioned officer or constable under “open arrest” shall be allowed to take exercise at stated periods within defined limits, usually within the precincts of the barracks. His liberty of movement may be increased at the discretion of the Commissioner, who may permit him to leave his station for a particular purpose.

#### **112. Close arrest, when to be employed**

If a warrant officer, non-commissioned officer or constable placed under arrest is charged with the commission of any indictable offence or any offence punishable on summary conviction, he shall remain under “close arrest” until an order is received from the Commissioner directing what proceedings are to be taken against him, and by whom they are to be taken.

#### **113. Arrest for breach of discipline**

If a warrant officer, non-commissioned officer or constable under arrest is charged with a breach of discipline, he shall not be detained under arrest for a longer period than twenty four hours, unless the Commissioner otherwise directs, but shall be released and placed on duty pending his trial. Where the decision of the Commissioner cannot be obtained within twenty-four hours from the time the warrant officer, non-commissioned officer or constable is placed under arrest, he shall be released and put on duty pending trial, unless in the opinion of the Deputy Commissioner, senior warrant officer or non-commissioned officer in charge at the time such a course would be injurious to proper discipline, in which case the Commissioner shall be notified to that effect and the arrest shall continue until his case can be dealt with by the Commissioner:

Provided that such arrest shall not continue for a period exceeding seven days. If the arrest is longer than twenty four hours a daily report shall be made to the Commissioner.

#### **114. Manner of effecting arrest**

A constable shall not be arrested in a public manner for any offence solely against discipline and not in violation of public order, but shall be ordered by a warrant officer or non-commissioned officer to return to barracks, and his place, if he be on duty, shall be taken by another constable.

**115. Confinement**

(1) A constable charged with a serious offence, or with drunkenness, or who refuses to obey any lawful order, or resists the authority of a warrant officer or non-commissioned officer, shall be confined in a suitable place of confinement within his station.

(2) When a warrant officer or non-commissioned officer has cause to confine a constable for any offence he shall invariably obtain the assistance of one or more constables and shall not come in contact with him himself except under unavoidable circumstances.

**116. Minor offences**

In the case of minor offences of a disciplinary nature or otherwise, a constable shall not leave his station except on duty until his case has been disposed of. He shall attend all parades and may be detailed for duty.

**117. Sickness during arrest**

Any warrant officer, non-commissioned officer or constable who complains of illness while under arrest shall be seen as early as possible by the police medical officer.

**118. Charges against members of Force**

When the warrant officer or non-commissioned officer in charge of a station prefers a charge against any warrant officer, non-commissioned officer or constable he shall at once inform him of the charge and submit the same in writing to the sergeant major, who shall inform the person charged of the date, hour and place at which he will hear the charge. On receipt of this information the warrant officer or non-commissioned officer shall at once inform the aforesaid person.

**119. Investigation of charges**

All charges against offenders shall be investigated without delay in the presence of the accused; but when the charge is one of drunkenness the offender shall not be brought before an officer for the investigation of his case until he has regained sobriety.

**120. Taking of evidence**

The evidence given for or against any warrant officer, non-commissioned officer or constable on any charge brought up for disposal by the Commissioner or by any officer of the Force shall be taken down in writing, and if the warrant officer, non-commissioned officer or constable appeal against the award, the evidence shall be forwarded with the appeal.

**121. Entry of punishment**

When members of the Force are charged at the same time with more than one offence committed on the same day, the sentence awarded shall cover all the offences so charged. The instructions contained in The Queen's Regulations for the Army, regarding the manner in which entries of offences are to be made in the conduct sheet shall be followed as far as practicable.

**122. Qualifying examination for promotion**

(1) No non-commissioned officer under the rank of corporal, and no constable, shall be promoted to a higher rank until he has passed a qualifying examination designed to test—

- (a) his ability to read and write and do simple arithmetic up to compound rules;
- (b) his knowledge of the various duties of a police constable, his acquaintance with legal police procedure and his ability to write a simple report;
- (c) his knowledge of drill.

(2) Examinations shall be held whenever required, and one month's notice of the date of the examination shall be published in Force Orders.

**123. Petition for promotion**

Non-commissioned officers and constables are forbidden to send in petitions asking for promotion.

*Uniform and Kit***124. Uniform and kit**

The uniforms and kit of warrant officers, non-commissioned officers or constables shall be as follows—

1 White helmet	1 Truncheon
1 Forage cap	1 Pair of dark blue puttees
1 Steel helmet	1 Copy of fire manual
3 White tunics	1 Waterproof cape
2 Blue serge tunics	1 Cane
2 Pairs of blue serge trousers	1 Rifle
2 Pairs of black ankle boots	2 Rifle slings
1 Pair of canvas shoes	1 Oil bottle
1 Spike	1 Pullthrough
2 Pairs of socks	1 Bayonet
1 Chain	1 Helmet badge
3 Sets of numerals	1 Cap badge
2 Pairs of badges of rank	1 Note book and pencil
1 Pair badges for skill	1 Kit box
3 Khaki shirts	1 Tin of boot polish
3 Pairs of khaki shorts	1 Copy of police regulations
2 White cap covers	1 Scabbard
2 Khaki cap covers	1 Bayonet frog
2 Sets of buttons	1 Button brush and stick
1 Whistle and chain	1 Shoe brush
1 Duty badge	1 Cake of bianco
1 Belt	1 Blanco tin.

**125. Numerals and crowns**

Numerals shall be worn by non-commissioned officers not above the rank of sergeant and by constables. Crowns shall be worn by men of higher rank and members of the Band, on each side of the front of the collar one and a half inches from the front edge. Eyelet holes for securing crowns and numerals shall be made in the tailors shop and shall not be cut by the owner of the jacket.

**126. Badges of rank and skill**

Badges of rank, and for skill at arms shall be worn by warrant officers, non-commissioned officers and constables as directed.

**127. Mourning**

The mourning to be worn by any member of the Force, when in uniform, shall be a black band, three and a quarter inches in width, round the left arm above the elbow.

**128. Boots**

No boots other than of regulation pattern shall be worn in uniform except with the permission of the Commissioner.

**129. Issue of clothing**

Clothing will be supplied to non-commissioned officers and constables whenever necessary.

**130. Articles for bedding**

The following articles shall be used for bedding—

- (a) 1 iron cot and mattress or 1 canvas cot;
- (b) 1 bed slip;
- (c) 1 blanket;
- (d) 1 pillow slip.

**131. Uniform damaged or lost**

A uniform damaged or lost in the execution of duty shall be replaced at the public expense, but if damaged or lost owing to the carelessness of the wearer it shall be repaired or renewed at his own expense.

**132. Deficiency in kit**

(1) Any non-commissioned officer or constable who fails to produce any article of his kit, when demanded, shall pay for a new issue thereof unless the deficiency is satisfactorily accounted for.

(2) A non-commissioned officer or constable shall not lend another any part of his clothing or equipment without permission.

**133. Kit inspection**

Inspection of kit shall be held once a month at police headquarters and in district stations.

**134. Allowance to detectives for plain clothes**

Detectives shall supply themselves with plain clothes out of the allowance granted to them for that purpose.

**135. Use of whistle**

(1) A constable shall blow his whistle only when he requires the assistance of another constable or desires to attract his attention, or in case of fire.

(2) On all occasions on which it is necessary for the police to use whistles, a very long and very short blast shall be blown alternately.

(3) The whistle signal for an alarm of fire shall be series of long blasts.

**136. Arms and accoutrements of men sick or on leave**

When a non-commissioned officer or constable proceeds on long leave or is sent to hospital or is suspended from duty, he shall hand over his arms and accoutrements to the officer or non-commissioned officer under whose immediate command he is serving, who shall be responsible for their safe custody. At police headquarters they shall be handed over to the station orderly who shall be responsible for their delivery to the storekeeper. A note shall be made of any deficiencies in such arms and accoutrements.

**137. Arms, etc., to be returned on discharge**

On the discharge of any member of the Force, he shall return to store all arms, accoutrements, equipment and clothing the property of the Government, before he receives his pay. The value of any article which he fails to produce shall be deducted from any pay due him.

**138. Arms and ammunition**

(1) The keeping of arms shall be in accordance with Army Regulations on the subject which will be published from time to time.

(2) The numbers of rounds to be issued to each man in district stations shall be ten, unless otherwise authorised by the Commissioner.

(3) The oldest ammunition in stock shall be used for the annual musketry course.

*Barracks***139. Daily barracks inspection**

At every station there shall be a daily inspection by the non-commissioned officer in charge as soon as fatigue is over.

**140. Animals, etc.**

No dogs shall be kept in barracks except with the permission of the Commissioner. If fowls are kept such accommodation shall be provided as will prevent them entering the station buildings. No other livestock shall be kept except animals which have been impounded.

**141. Kit boxes**

Every constable shall be provided with a kit box which he shall keep locked and hand in to the storekeeper or non-commissioned officer in charge of the station if he intends to be absent from the station for more than two days. No trunks or boxes, except the regulation box, and no furniture, except that provided for the use of the station, shall be allowed in the barracks but the men will be allowed to have a small box in which articles of a personal or private nature may be kept.

**142. Arrangement of barrack room**

(1) The bedsteads and furniture belonging to each station shall be arranged in the rooms in such a manner as to afford the maximum degree of comfort to the whole party at the station.

(2) Every man's bedding shall be properly folded, and his uniform folded and placed on a shelf above his head in accordance with orders which may be issued from time to time.

(3) Capes shall not be hung up in the rooms nor left hanging on railings or elsewhere for the purpose of drying them. When dry they shall be folded and placed with the uniform.

**143. Unauthorised persons in barracks**

(1) No unauthorised person shall be permitted to enter the barracks except on business.

(2) No person other than members of the Force, heads of departments and Government medical officers shall sleep at a station without the permission from the Commissioner or Deputy Commissioner.

**144. Fire buckets**

A chemical fire extinguisher and a sand bucket shall be kept at each station for use in case of accidents arising from fire.

**145. Charge rooms**

(1) A charge room shall be attached to each station and all books and records of the station shall be kept therein, properly labelled and arranged. This room shall be used as an office by the non-commissioned officer in charge.

(2) The part of the charge room within the bar or counter shall be reserved for the use of non-commissioned officers and constables on duty and no other persons shall be allowed inside except when signing documents.

(3) Loud talking in the charge room shall be forbidden.

**146. Inventory boards**

Inventory boards shall be hung up in every barrack room, guard-house, office, or in the quarters occupied by the police, on which shall be entered all articles of government property contained in such barrack room or otherwise, and no articles on such inventory boards shall be taken away without the permission of the Commissioner or Deputy Commissioner.

**147. Payments for damage to barracks**

Damage to barracks shall be charged for in the following manner—

- (a) when the individual who committed the damage is known, the charge shall be defrayed by that individual;
- (b) when the person is unknown, all the occupants of the barrack or room shall be charged equally for the damage;
- (c) the sum due for damages to barracks shall be stopped by the paymaster from the salaries of the persons responsible.

#### *Cells and Lock-ups*

#### **148. Cells to be provided**

There shall be, at least, two prisoners' cells attached to each station, one for male and the other for female prisoners in which prisoners arrested or in the custody of the police may be confined. No person shall under any pretext open or enter the cells when prisoners are confined therein except by the authority of the non-commissioned officer in charge.

#### **149. Visits to prisoners**

Prisoners shall be visited each half hour. In the case of persons under the influence of drink the visits shall be at fifteen minute intervals and oftener in cases of illness.

#### **150. Searching of prisoners**

Prisoners shall not be placed in a cell until they have been properly searched, and property in their possession taken from them. A male prisoner shall be searched by at least two constables. Whenever it is necessary to search a female prisoner, the services of the matron of the female prison or some other suitable female shall be obtained.

#### **151. Property of prisoners**

(1) All personal property taken from a prisoner shall be at once entered in the Prisoners' Property Register and all property which is the subject of a charge shall be entered in the Exhibits Register by the non-commissioned officer or constable in charge of the station in the presence of the prisoner from whom it was taken, and the constable or constables making the search. When the entry is completed it shall be read out to the prisoner, who shall be asked if the articles so entered represent the whole of the property taken.

(2) Property taken from a prisoner who is acquitted, or who having been convicted and fined, pays the fine immediately after leaving the court, shall be at once returned to him or her and a receipt taken from the same in the Prisoners' Property Register.

(3) Property taken from prisoners who have been convicted and sent to gaol shall be delivered to the warder who receives the prisoners at the gaol and the receipt thereof acknowledged in the Prisoners' Property Register or Exhibits Register as the case may be.

#### **152. Children in cells**

(1) When women are arrested no children above the age of one shall be allowed to stay in the cells with their mother.

(2) When female prisoners have children above the age of one for whom no-one is willing to assume responsibility, an immediate report of this fact shall be made to the Deputy Commissioner.

**153. Prisoners' rations**

(1) The daily ration for prisoners in police cells shall consist of one cup of tea, coffee or cocoa, four ounces of bread, and one piece fried fish or fish cake in the morning, and rice, vegetables and fish or meat in the evening.

(2) Prisoners shall be fed twice daily viz. 8.00 a.m. and 5.00 p.m. or as near these hours as practicable.

(3) A prisoner, confined after 12.00 midday shall only be allowed half rations.

(4) A prisoner may be supplied with food by his relatives or friends. All such food shall be examined by the non-commissioned officer or constable in charge of the station. A prisoner receiving such food shall not be allowed the regular ration in addition.

**154. Employment of prisoners awaiting trial**

A prisoner awaiting trial shall not be employed in any capacity whatever, other than cleaning his cell. This must be done one at a time and in the presence of a constable.

**155. Legal adviser of prisoner**

A legal practitioner, or his clerk if duly authorised in writing to act for him, shall be allowed to communicate with a prisoner in custody at a station. Such communication shall take place within sight of but out of hearing of a member of the Force.

**156. Sick prisoners**

(1) When a prisoner is ill or appears to be ill or reports that he is ill, notice shall be sent without delay to the prison medical officer who, if necessary, may recommend removal to the Kingstown General Hospital or the Saint Vincent and the Grenadines Mental Health Centre as the case may be. In such circumstances an application shall immediately be made to the nearest magistrate or justice of the peace for a remand warrant. On the receipt of the said warrant the prisoner shall at once be dispatched to such hospital, and the non-commissioned officer or constable in whose custody he is, shall be held responsible for the proper and humane conveyance of any prisoner so remanded.

(2) When a Government medical officer orders nourishment, other than the food normally allowed to prisoners in cells, an inspector or the Sergeant Major shall see that such nourishment is duly provided at the public expense, and the voucher for the payment thereof certified by the Government medical officer concerned.

(3) Medicines ordered for prisoners in district stations shall be procured in such ways as the Government medical officer may direct.

**157. Prisoners remanded, etc., not to be kept at station**

Prisoners who have been remanded or committed to gaol shall not be detained at any station for a longer time than is absolutely necessary to permit them to be sent on by escort. If a committal warrant is unduly delayed a report to that effect shall be made at once to the Commissioner.

**158. Production warrant to be shown**

When it is necessary to produce a remanded prisoner, a production warrant shall be made out by the police and presented to the magistrate for signature. This warrant shall then be presented to the Superintendent of Prisons or his deputy for the delivery of the prisoner.

**159. Bail by magistrate**

Any constable apprehending any person found committing an offence punishable upon indictment shall take the offender forthwith before a magistrate or justice of the peace who may either commit him to gaol or grant him bail conditioned for his appearance before a magistrate on such a day as he shall appoint.

**160. Police may accept bail**

Any non-commissioned officer or constable at any police station may, if he thinks it prudent, grant bail to any person, either with or without sureties, charged with a summary conviction offence.

**161. Police declining to take bail**

If any member of the Force shall refuse to grant bail for the appearance before a magistrate of any person in his custody, and such person shall demand to be taken before a magistrate, it shall be the duty of such member of the Force to have him taken before a magistrate for the purpose of being dealt with according to law.

*Leave of Absence***162. Officers**

Leave of absence may be granted to officers of the Force in accordance with General Regulations and Orders.

**163. Non-commissioned officers and constables**

(1) The Commissioner may grant leave of absence on full pay to any non-commissioned officer or constable under his command, when efficient distribution of duties so permits, as follows—

- (a) non-commissioned officers who are in receipt of annual salary of six thousand six hundred dollars and above: thirty working days in respect of one year, twelve working days of which must be taken annually;
- (b) non-commissioned officers who are in receipt of annual salary of three thousand six hundred or more but less than six thousand six hundred dollars: twenty-four working days in respect of one year, twelve working days of which must be taken annually;
- (c) non-commissioned officers and constables who are in receipt of an annual salary of less than three thousand six hundred: seventeen working days in respect of one year, twelve working days of which must be taken annually,

non-commissioned officers and constables in paragraph (c) with more than seven years continuous service shall be regarded as being in paragraph (b) for leave purposes.

(2) In subregulation (1), the figures “\$6,600” and “\$3,600” refer to the commencement point in the salary scales as at 1st January, 1970, in respect of the posts to which they then applied and those figures shall be read as one with the successive upward adjustments in the salary scales referable to those posts.

(3) The requirement that twelve working days must be taken annually only applies after the 31st December, 1988.

(4) In all instances prior to 31st December, 1988, in which an officer was treated as having completed a period of service which would have qualified him for payment of gratuity and/or pension and/or retirement benefit and such officer would have actually completed his service (excluding pre-retirement vacation leave) prior to the 1st January, 1990, such officer shall, notwithstanding any regulation to the contrary, be deemed to have in fact completed such qualifying service.

(5) A non-commissioned officer, whether an inspector, station sergeant, sergeant or corporal, as well as a constable who intends to retire from the Force is entitled to any prior leave not taken up during the past six years:

Provided that in no case shall a non-commissioned officer or constable be granted a total period of more than twelve months leave prior to his retirement.

#### **164. Leave, when not granted**

Leave of absence other than by virtue of a medical certificate, shall not be granted except under very special circumstances to any non-commissioned officer or constable who—

- (a) is under punishment;
- (b) is charged with an offence which has not been dealt with;
- (c) is required as prosecutor or witness in any case pending before any court of justice.

#### **165. Extension**

Extension of leave in cases other than sickness will rarely be granted.

#### **166. Sick leave**

(1) Non-commissioned officers and constables who are absent on account of illness may be allowed to draw full pay for a period not exceeding twenty-eight days in any one calendar year:

Provided that the Governor-General may grant sick leave on full pay in addition to the said period of twenty-eight days where, in the opinion of the Governor-General, any non-commissioned officer or constable is suffering from—

- (a) any injury sustained when in the execution of his duties; or
- (b) any illness caused by or directly attributable to the nature of his duties.

(2) Sick leave granted under this regulation shall not affect vacation leave.

#### **167. Overstaying leave**

Any non-commissioned officer or constable who fails to return to duty at his station on the date on which his leave expires shall forfeit his pay for such day or days as he may overstay his leave in addition to any further punishment to which he may be liable. The

Commissioner shall have power to remit the forfeiture if he is satisfied that the failure to return was due to circumstances beyond the control of the non-commissioned officer or constable.

**168. Plain clothes to be worn on leave**

All members of the Force either on vacation or pass leave shall wear plain clothes, unless they have special permission to wear uniform.

**169. Liability to recall from leave**

Members of the Force on leave of absence shall be subject to every regulation of the Force and liable to the consequences of any breach of discipline as if they were serving at their proper stations. They are liable to be recalled at any time and in the event of emergency they shall report for duty at the nearest police station.

**170. Certificates**

All non-commissioned officers and men proceeding on vacation or pass leave shall be provided with a certificate signed by the officer by whom the leave was granted on which shall be specified the period for which the leave is granted. Such certificates shall be produced when the holder is called upon to do so by any member of the Force superior in rank to himself. On his return from leave the holder of a certificate shall return it to the station orderly who shall check, sign and file it.

*Miscellaneous***171. Corrections**

No erasures shall be made in official books or documents but all mistakes must be crossed out and initialled.

**172. Taking over records**

When a non-commissioned officer or constable takes charge of a station, he shall examine the public property, books, orders and records of the station and report to the Deputy Commissioner in writing any deficiency therein. He shall be held accountable for any deficiency that may afterwards be discovered.

**173. Requisitions**

Requisitions for books, forms, stationery and similar articles shall be forwarded to police headquarters quarterly. Special requisitions shall not be forwarded except in cases of absolute necessity.

**174. Transmission of correspondence**

Correspondence from non-commissioned officers and constables shall be transmitted through the non-commissioned officers in charge of stations who shall in turn submit it through an inspector or Sergeant Major as the case may be. No officer, non-commissioned officer or constable shall forward a letter to the Governor-General direct.

**175. Telephones**

The use of telephones at police stations shall be restricted to official business and the private business of the police personnel in the station. Telephones may also be used by members of Cabinet and the House of Assembly, and Government officers. In the case of sickness or other urgent necessity a constable may send a message over the telephone for a member of the public. All messages relayed from or received at a police station must be recorded in the telephone book provided at each station.

**176. Delivery of messages**

No constable shall be specially sent out to deliver a message unless it be from a Government department, or is one of great urgency. All other messages shall, as far as practicable be delivered by constables in the ordinary rounds of duty.

**177. Books to be kept in stations**

The following books shall be kept in a station—

- (a) The Station Diary;
- (b) The Crime Register;
- (c) The Charge Book;
- (d) The Statement Book;
- (e) The Telephone Message Book;
- (f) The Warrant Register and Court Fees Book;
- (g) The Prisoner's Property Book;
- (h) The Prisoner's Ration Book;
- (i) The Inspection Report Book;
- (j) The Official Visitors Book;
- (k) The Summons Register;
- (l) The Register of Stores Requisition and Defect Reports;
- (m) The Mongoose Register;
- (n) The Outdoor Relief Register;
- (o) The Sick Report Book;
- (p) The Boat Register;
- (q) The Inventory of Stores Register;
- (r) The Duty Roster Prisoners' Committal Register and Roll Call Register.

*Enlistment***178. Physical standard**

(1) Candidates for enlistment must satisfy the following standards of height and chest measurement unless specially enlisted by the Commissioner—

- (a) minimum height - 5 feet 8 inches;
- (b) minimum chest measurement - 34 inches.

(2) The height will be measured in bare feet and the chest measurement will be taken around the body in line with the nipples held in position while the candidate repeats the alphabet.

**179. Testimonials**

Candidates shall produce two testimonials from two responsible persons in the community.

**180. Birth certificate to be produced**

Every candidate for enlistment shall produce a copy of his birth certificate.

**181. Educational qualifications**

Every candidate for enlistment shall be able to read fluently and to write a legible hand. He is also required to have a sound knowledge of elementary arithmetic, and general knowledge of his island home.

**182. Numbering of non-commissioned officers and constables**

Every member of the Force on enlistment shall be given a number which shall not be changed as long as he remains in the Force. Inspectors, the Sergeant Major and station sergeants shall be exempt from wearing numerals.

*Sickness***183. Sick reports**

(1) The names of all non-commissioned officers and constables in Kingstown who report sick shall be entered daily in a Sick Report Book by the officer in charge of the charge room. This book and the sick personnel shall be sent to the police medical officer each morning.

(2) Any non-commissioned officer or constable who reports after the morning sick parade will not normally be attended to before the parade the following morning unless it is an urgent case.

**184. Medical history sheet**

The medical history sheet of all members of the Force shall be kept at police headquarters.

**185. Medical attendance**

All members of the Force shall be entitled to free medical and surgical attention in Saint Vincent and the Grenadines on the recommendation or certificate of a Government medical officer.

**186. Free medicines and supplies**

(1) All medicines and supplies prescribed by the appropriate district medical officer in the course of his treatment of members of the Force up to and including the rank of inspector shall be supplied from the dispensary at the Kingstown General Hospital or the

district dispensaries free of charge. If these medicines or supplies are not available at the Kingstown General Hospital or dispensaries then they may be obtained from private chemist, but the cost will be borne by Government.

(2) The district medical officer shall pass for free supply only those medicines or articles which in his opinion are absolutely necessary for the treatment of the individual concerned.

#### **187. Free admission to hospital**

All members of the Force up to and including the rank of inspector shall be admitted to the public wards of the hospital free of charge:

Provided that they may apply for entry into any other ward, but they will be required to pay the appropriate fees as specified by the hospital authorities.

#### **188. Free dental treatment**

All members of the Force up to and including the rank of inspector shall be provided with free dental treatment in respect of extractions. In the case of other dental treatment, fifty per cent of the costs will be borne by Government.

#### **189. Free treatment to eyes**

District medical officers shall recommend all members of the Force up to and including the rank of inspector suffering from eye disease to be sent to a Government eye specialist for treatment. Treatment shall be free of charge.

#### **190. Free spectacles**

All members of the Force up to and including the rank of inspector shall on the prescription of a Government eye specialist be supplied with spectacles free of charge, but in the event of their requiring frames of a more expensive type than those normally supplied by the optician under the Government contract they shall be required to pay the difference in cost.

#### **191. Monthly returns of sick personnel**

(1) The non-commissioned officer in charge of a station shall forward to the Commissioner on the last day of each month, a return showing the names of men who have been sick during the month with the number of days each man has been confined to hospital.

(2) Men who report sick in stations other than police headquarters shall report to the medical officer of the particular district after his name has been entered in the station Sick Report Book.

#### **192. Patients to conform to rules**

Every patient sent to the Kingstown General Hospital or any district hospital shall strictly obey the instructions of the medical officer and hospital attendants, and shall conform to all the rules of the hospital.

**193. Canteen and recreation room**

The police canteen and recreation room shall be maintained for the use and benefit of members of the Force only. Members of Her Majesty's Forces, the Volunteer Fire Brigade and of the prison staff may however be invited by the Commissioner to use the police canteen and recreation room.

**194. Management committee and quorum**

(1) The committee of management Of the canteen shall consist of the Commissioner, the Sergeant Major, and four other members representing the sergeants, corporals and constables selected by and from among the respective members of the aforesaid ranks.

(2) Four members shall form a quorum.

**195. Canteen to be operated by contractor**

The canteen shall be operated by a contractor appointed by the Commissioner and in accordance with the terms of an agreement to be entered into between the contractor and the Commissioner.

**196. Sales from canteen**

Sales from the canteen shall not be made to any person other than to members of the Force, members of Her Majesty's Forces, members of the Volunteer Fire Brigade, or members of the prison staff.

**197. Hours of opening**

(1) The recreation room shall be opened at 8.00 a.m. and closed at 10.30 p.m. each day.

(2) The canteen shall be open daily, including Sundays, for the sale of liquor and other articles, from 8.00 a.m. to 9.00 a.m., 11.00 a.m. to 1.00 p.m. and 4.30 p.m. to 10.30 p.m.

**198. Visitors and guests**

Male visitors or guests may be entertained in the recreation room by members of the Force who are off duty on any day from 9.00 a.m. to 10.30 p.m. and female visitors or guests from 9.00 a.m. to 6.00 p.m.

**199. Loitering near recreation room**

Visitors and other persons shall not be permitted to loiter in the vicinity of the recreation room. Non-commissioned officers and constables shall be responsible for visitors invited by them to the recreation room and will be held answerable to the Commissioner for any misconduct on their part.

**200. Credit accounts**

(1) Credit accounts of members of the Force and of members of the prison staff shall be settled in full at the end of each month.

(2) Credit may be allowed to members of the Force upon such conditions as the Commissioner shall, from time to time, determine.

(3) Credit accounts shall be close on the 27th of each month and all accounts shall be paid monthly by deductions made at the pay table. Credit accounts of non-commissioned officers and constables stationed at district police stations, who are paid by district revenue officers, shall be paid monthly before the seventh day of the month following that in respect of which the account is due.

#### **201. Recreation funds**

(1) The contractor shall pay to the Commissioner at the end of each month such percentage of the net monthly profits as shall be agreed upon under the terms of the agreement entered into between the Commissioner and the contractor.

(2) All monies so paid to the Commissioner shall be placed to the credit of a fund to be called the Police Recreation Room Fund. This fund shall be used by the Commissioner for the maintenance of the billiard table and the accessories thereto, for the provision and maintenance of other recreational facilities and for the purchase of books, periodicals and newspapers for the police recreation room.

#### **202. Resale of purchases**

No member of the Force or his wife or any member of his family shall retail or purchase on commission any article obtained at the canteen. Members of the Force shall be responsible for any violation of this regulation by their families.

#### **203. Price lists**

Price lists of the articles to be sold shall be posted up in a conspicuous place in the canteen. No article shall be sold at a higher price than the ordinary market value thereof.

#### **204. Steward**

The Commissioner shall appoint a member of the Force to be canteen and recreation steward, and may grant to the steward such remuneration as he may deem fit out of the canteen fund.

#### **205. Duties of steward**

The steward shall be responsible for the safe keeping and preservation of all articles issued and used in the recreation room.

#### **206. Damage and loss**

The cost of articles, lost or damaged shall be defrayed, either from the Recreation Room Fund or by the person or persons responsible for such damage or loss, as the Commissioner may determine. The steward shall keep a record of damages committed by individuals for his own protection in order that the charges on account thereof may not be made against him.

#### **207. Articles to remain in recreation room**

(1) No article provided from the funds of the Recreation Room Fund for use in the recreation room, shall at any time be removed from the said room.

(2) No article provided in the canteen by the contractor for the use of members of the Force shall be removed from the recreation room except by the contractor or his servant.

**208. Police on duty not to enter recreation room**

Members of the Force shall not enter the recreation room while on duty, while undergoing punishment awarded by the Commissioner, or while under arrest, not shall the contractor sell any liquor or any other article to members of the Force in such circumstances.

**209. Sale and consumption of liquor**

(1) No liquor, other than that brought in by the contractor as part of his stock for sale in the canteen, shall be brought into, or consumed in, the recreation room.

(2) Liquor purchased at the canteen shall be consumed in the recreation room. The consumption of liquor in the police dining rooms is expressly forbidden:

Provided always that members of the Force and prison wardens may purchase bottled liquor from the canteen for consumption in their own homes and that any liquor so purchased is taken out of the police barracks immediately upon such liquor being delivered to the purchaser.

**210. Loans**

The Commissioner may make loans to members of the Force from the profits of the canteen in cases of death or illness in the applicant's family and in cases of pecuniary embarrassment not caused by the applicant's own fault; but security shall be given in respect of all loans exceeding fifty dollars. Applications for loans shall be made in writing and submitted to the Commissioner.

*Standing Orders, Good Conduct, etc.*

**211. Standing orders**

(1) Standing, general and circular orders may be issued by the Commissioner.

(2) Such orders shall be promptly filed in all stations and non-commissioned officers in charge of stations shall bring the said orders to the notice of all men under their command.

**211A. Service of coastguard**

The fees payable for the services of the police coastguard are as prescribed in the Schedule.

[Regulation 211A inserted by SRO 28 of 1992.]

**212. Rank chevrons, etc.**

Non-commissioned officers shall be furnished with silver lace stripes for their serge and white jackets and white stripes for their khaki uniform. Each non-commissioned officer or constable entitled to a good conduct badge shall be furnished with the stripes, but good conduct badges shall not be worn by sergeants or higher ranking non-commissioned officers.

**213. Full dress**

Full dress shall be worn at all general parades, for attendance at the High Court, at guards of honour and such other times as may be ordered by the Commissioner.

**214. Loss of good conduct badge**

(1) For the commission of any serious offence the Commissioner may, with the sanction of the Governor-General, deprive any non-commissioned officer or constable of one or more badges and the pay attached thereto.

(2) Any non-commissioned officer or constable having forfeited his good conduct badges or badge may by very good conduct for a continuous period of six months subsequent to the date of such forfeiture have one badge restored to him, and the other badges (if any) at intervals of six months, provided his conduct has been very good during the intervals.

(3) Non-commissioned officers on being reduced to the ranks may not necessarily be deprived of good conduct badges but the expediency of inflicting the double penalty will be considered and the case referred to the Governor-General for his decision.

**215. Service at private functions**

(1) Non-commissioned officers and constables may be assigned for duty on board ships, at dances, parties, public entertainments and other functions of a similar nature.

(2) Every application shall be made by giving to the Commissioner not less than seventy two hours notice, stating the number of men required, the service desired and the time and place for the performance of the service.

(3) An applicant for the service of any number of non-commissioned officers or constables may be required to provide transportation for such officers and, failing to do so, the applicant shall be liable for any travelling expenses incurred by the non-commissioned officers and constables.

(4) Fees for the services of each non-commissioned officer and constable shall be paid by the applicant, in advance, at the following rates—

	Insp.	S/Sgt.	Sgt.	Cpl.	Cons.
Daytime service—					
for the first hour	\$9.00	\$8.00	\$8.00	\$6.00	\$5.00
for each exceeding hour or part thereof	\$7.00	\$6.00	\$6.00	\$5.00	\$4.00
Night time service—					
for the first hour	\$12.00	\$10.00	\$10.00	\$8.00	\$6.00
for each succeeding hour or part thereof	\$10.00	\$8.00	\$8.00	\$6.00	\$5.00

Provided that the Commissioner may waive the whole or part of such fees where he is satisfied that their service is in respect of a function or entertainment sponsored by the Government or by a charitable institution or organisation for which there is no charge to the public.

**216. Police reports**

A fee of one hundred dollars shall be paid by members of the public for the issuance of police reports in respect of theft, motor vehicle accident, complaints, legal proceedings and other matters.

[Regulation 216 amended by SRO 2 of 1996.]

**217. Certificate of character**

*Police Act – Subsidiary Legislation*

A fee of ten dollars shall be paid by members of the public for the issuance of police certificates of character.

**218. Police band**

The services of the police band may be made available on payment of the following charges—

(a) <i>Charitable functions</i>	<i>Transport</i>	<i>Band Fee</i>	<i>Total</i>
Kingstown - Chateaubelair	\$200.00	\$100.00	\$300.00
Kingstown - Barrouallie	\$150.00	\$100.00	\$250.00
Kingstown - Layou	\$ 90.00	\$100.00	\$190.00
Kingstown - Calliaqua	\$ 75.00	\$100.00	\$175.00
Kingstown - Mesopotamia	\$115.00	\$100.00	\$215.00
Kingstown - Biabou	\$150.00	\$100.00	\$250.00
Kingstown - Georgetown	\$180.00	\$100.00	\$280.00
Kingstown - Sandy Bay/Owia	\$250.00	\$100.00	\$350.00
(b) <i>Non-charitable functions</i>	<i>Transport</i>	<i>Band Fee</i>	<i>Total</i>
Kingstown - Chateaubelair	\$200.00	\$150.00	\$350.00
Kingstown - Barrouallie	\$150.00	\$150.00	\$300.00
Kingstown - Layou	\$ 90.00	\$150.00	\$240.00
Kingstown - Calliaqua	\$ 75.00	\$150.00	\$225.00
Kingstown - Mesopotamia	\$115.00	\$150.00	\$265.00
Kingstown - Biabou	\$150.00	\$150.00	\$300.00
Kingstown - Georgetown	\$180.00	\$150.00	\$330.00
Kingstown - Sandy Bay/Owia	\$250.00	\$150.00	\$400.00

[Regulation 218 amended by SRO 2 of 1996.]

**219. General penalty**

Any non-commissioned officer or constable who is guilty of a breach of these Regulations is liable to a fine of two hundred and fifty dollars or to such other punishment prescribed by section 17(1) of the Act as the Commissioner may prescribe.

**Schedule**

[Regulation 211A. Schedule inserted by SRO 28 of 1992.]

*Coastguard Towing Operation Fees*

Vessels under 25 ft. ....	\$ 200 per hour
Vessels of 25 ft. and over .....	\$ 325 per hour
Vessels of over 50 ft. ....	\$ 500 per hour

**Police Welfare Association Rules**

SRO 22 of 1952

**Amended by**

SRO 91 of 1952

SRO 54 of 1969

SRO 38 of 1980

## ARRANGEMENT OF RULES

1. Citation.
  2. Constitution of Police Welfare Association.
  3. Branch boards.
  4. Composition of branch boards.
  5. Central Committee.
  6. Functions of branch boards and Committee.
  7. Procedure at branch board elections.
  8. Vacancies.
  9. Mode of making representation.
  10. Facilities for meeting.
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**POLICE WELFARE ASSOCIATION RULES**

[SRO 22 of 1952 amended by SRO 91 of 1952, SRO 54 of 1969, SRO 38 of 1980.]

[Date of commencement: *1st April, 1952.*]**1. Citation**

These Rules may be cited as the Police Welfare Association Rules.

**2. Constitution of Police Welfare Association**

The Police Welfare Association (hereinafter referred to as “the Association”) shall consist of all members of the Force below the rank of Assistant Superintendent and shall act through branch boards and a central committee.

**3. Branch boards**

(1) There shall be three branch boards in the Force, one for constables, to be known as the Junior Branch Board, one for the corporals, to be known as the Intermediate Branch Board, and one for the inspectors, station sergeants and sergeants, to be known as the Senior Branch Board.

(2) The members of a branch board shall be elected as soon as practicable after the passing of these Rules and thereafter in the month of January in each year and shall hold office until the branch board for the succeeding year has been duly constituted.

(3) The members of each branch board shall, by ballot, choose from among their number a chairman and a secretary.

(4) The chairman shall preside at all meetings of a board and shall have a casting vote in the event of an equal division of votes on any question.

(5) In the absence of the chairman or the secretary from any meeting of a board, the board shall have power to appoint one of its members to be chairman or secretary as the case may require, and the person or persons so appointed shall have and exercise all the powers of a chairman or of a secretary, as the case may be, for the purposes of that meeting.

(6) Each branch board shall hold its first meeting (hereinafter called the annual meeting) not later than in the month of February, and thereafter meetings may be held quarterly, provided that emergency meetings may be held at the request of not less than two-thirds of the members of the branch board, and provided that individual policemen have received the consent of the Commissioner to attend such meetings.

(7) The quorum of a branch board meeting shall be two for the Senior Branch Board and three for the Intermediate and Junior Branch Boards.

#### **4. Composition of branch boards**

Branch boards shall be constituted as follows—

- (a) Junior Branch Board: five members who shall be elected from and represent the junior branch;
- (b) Intermediate Branch: Board four members who shall be elected from and represent the intermediate branch;
- (c) Senior Branch Board: three members who shall be elected from and represent the senior branch.

#### **5. Central Committee**

(1) There shall be constituted a Central Committee (hereinafter referred to as “the Committee”) consisting of three members who shall be elected by ballot at the annual general meeting. One member shall be elected from each branch board.

(2) The Committee shall chose from among its members a chairman who shall preside at all meetings of the Committee.

(3) The Committee shall, at its first annual meeting, appoint a member of the Association (not being a member of the Committee) to be secretary for the purpose of attending at and taking minutes of its meetings, but he shall not have the right to vote at any meeting of the Committee.

(4) The Committee may at any time require any person appointed as secretary to relinquish his appointment and may appoint another person in his stead.

(5) The Committee shall hold at least one meeting in each year. Meetings of the Committee may be held at headquarters or elsewhere and, subject to the approval of the Commissioner, as often as circumstances require.

(6) Members of the Committee shall hold office until the Committee for the succeeding year has been duly constituted.

#### **6. Functions of branch boards and Committee**

(1) It shall be the duty of a branch board to consider and make representations with regard to all matters affecting the general welfare and efficiency of the members of the particular branch.

(2) It shall be the duty of the Committee to consider and make representation with regard to all matters affecting the general welfare and efficiency of the Force as a whole.

(3) With the exception of questions relating to discipline or promotion, representations may be made by a branch board or the Committee on all matters where a question of principle is involved.

#### **7. Procedure at branch board elections**

(1) Every member of branch board shall be elected by nomination and, whenever there is more than one nomination, by ballot.

(2) Nominations shall be made as early as practicable after the passing of these Rules and thereafter in the month of January in each year on such date as may be prescribed in Force Orders.

(3) Any member of a branch may, by putting forward his name in writing, offer himself for nomination as a candidate for election, but such nomination shall not be accepted unless it is signed by at least one member of the same branch in support thereof.

(4) In each branch every member shall have the right to vote at the election of members of the board.

(5) Every such election shall be by secret ballot under the supervision of an officer of the Force.

(6) At any election under these Rules a voter may give one vote only for a candidate.

(7) The counting of votes shall be done in the presence of representatives of all branches and in the event of a tie another ballot or ballots shall be taken until a decisive result is obtained.

(8) The result of each election shall be published in Force Orders.

#### **8. Vacancies**

(1) On any vacancy occurring in a branch board or the Committee during any year, another member shall be elected as herein provided to fill the vacancy so occurring.

(2) Vacancies in a branch board or the Committee shall be filled within two weeks of the occurrence of the same.

#### **9. Mode of making representation**

(1) Representations may be made by resolution or petition in writing submitted by the Secretary to the Commissioner or the Governor-General through the proper channels.

(2) Representations of the Committee and replies thereto shall be published in Force Orders.

#### **10. Facilities for meeting**

Every opportunity and facility shall be given to members of the Force to attend meetings of the Association and every attendance at a meeting shall, as regards allowances and expenses, be deemed to be an occasion of police duty.

*Police Act – Subsidiary Legislation*

ARRANGEMENT OF REGULATIONS

1. Citation.
2. Subsistence and lodging allowance.
3. Advances.

**POLICE (SUBSISTENCE AND LODGING ALLOWANCE) REGULATIONS**

[SRO 26 of 1983.]

[Date of commencement: 30th August, 1983.]

**1. Citation**

These Regulations may be cited as the Police (Subsistence and Lodging Allowance) Regulations.

**2. Subsistence and lodging allowance**

A member of the Force of or below the rank of inspector who, in the performance of his duty, is absent from the section of the police district to which he is posted and is not provided with food and lodging while so absent shall be entitled to reimbursement of out of pocket expenses necessarily incurred in accordance with the following scales—

<i>Subsistence Allowance</i>					
	Inspr.	S/Sgt.	Sgt.	Cpl.	Const.
5 hours and not exceeding 8 hours	\$10.00	\$8.00	\$8.00	\$6.00	\$5.00
Over 8 hours and not exceeding 12 hours	\$12.00	\$10.00	\$10.00	\$8.00	\$6.00
Over 12 hours and not exceeding 24 hours	\$15.00	\$12.00	\$12.00	\$10.00	\$8.00

Subsistence allowance will be granted up to fourteen days only, except by direction of the Commissioner and where actual hardship is caused by the imposition of the fourteen-day rule.

<i>Lodging Allowance</i>					
	Inspr.	S/Sgt.	Sgt.	Cpl.	Const.
Lodging per night	\$12.00	\$10.00	\$10.00	\$8.00	\$8.00

Subsistence and lodging allowance when on duty in another country.

Any member of the Force of or below the rank of inspector travelling on duty in another country shall be paid, over and above his travelling expenses, his actual hotel and boarding expenses together with an allowance as set out hereunder—

	Inspr.	S/Sgt.	Sgt.	Cpl.	Const.
Subsistence allowance per day	\$25.00	\$20.00	\$20.00	\$15.00	\$15.00

These rates will be paid in the currency of the country to which the officer travels:

Provided that for duty in the United Kingdom, Europe, the United States of America and its dependencies (including Puerto Rico) and Central and South America, the rates shall be paid in United States currency.

**3. Advances**

So far as is practicable, a member of the Force of or below the rank of inspector who is required to go on duty outside Saint Vincent and the Grenadines may be given an advance to cover his probable expenses while absent.

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