

CHAPTER 77.

POLICE.

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CHAPTER 77.

POLICE.

[26TH JANUARY, 1929.]

1929 Ed.
c. 30.
25 of 1936.
2 of 1938.
28 of 1939.
13 of 1942.
21 of 1943.
22 of 1946.
6 of 1949.
26 of 1949,
s. 7A and
3rd sch.
46 of 1950.
28 of 1951.
39 of 1951.
40 of 1952.

Short title.

1. This Ordinance may be cited as the Police Ordinance.

2. In this Ordinance, unless the context otherwise requires,—
“the police force” or “the force” means the police force established by the Police Ordinance, 1891, and continued by this Ordinance ;

Interpreta-
tion.
X of 1891.

“the Commissioner” means the Commissioner of Police ;
“the Deputy Commissioner,” “superintendent” and
“assistant superintendent” mean the Deputy Commissioner of Police, a superintendent of police and an assistant superintendent of police respectively ;

“officer” means anyone holding an office or rank mentioned in section 6 of this Ordinance ;

“inspector” means a person so appointed by the Governor ;

“non-commissioned officer” means anyone holding an office or rank mentioned in section 16 of this Ordinance ;

“sub-officer” includes an inspector and a non-commissioned officer ;

“member of the force” includes officers, sub-officers and constables ;

“division” means a police division ;

“district” means a police district ;

“regulations” means the regulations relating to the force made under this Ordinance ;

“imprisonment” means imprisonment with or without hard labour.

(2) In this Part of this Ordinance “constable” means a member of the force other than an officer or a sub-officer.

PART I.—THE POLICE FORCE.

A.—ESTABLISHMENT AND DUTIES.

3. The police force established by the Police Ordinance, 1891, is hereby continued as an armed semi-military force and shall be employed for the prevention and detection of crime,

Establish-
ment and
objects.
(No. X of
1891.)

the repression of internal disturbance, protection against fire, the defence of the Colony against external aggression and any other duties prescribed by the Governor in Council.

Composition.

4. (1) The force shall consist of officers, sub-officers, and constables.

(2) Such portion of the force as the Governor may direct shall be mounted police.

Police
force and
Volunteer
force.
26 of 1949,
s. 7A and
3rd sch.

5. (1) For the purposes of local rank and command the Deputy Commissioner shall rank with Lieutenant-Colonels, Superintendents with Majors, Senior Assistant Superintendents with Captains and Assistant Superintendents with Lieutenants of the Volunteer Force, the seniority in each case according to the date of their respective appointments except that the Deputy Commissioner shall have seniority over all Lieutenant-Colonels.

26 of 1949,
s. 7A and
3rd sch.

(2) Sub-officers of the Police Force shall rank with warrant officers and non-commissioned officers of the Volunteer Force and constables of the Police Force with privates of the Volunteer Force according to the dates of their respective appointments.

Officers.

Personnel.

6. (1) The Governor shall when necessary appoint fit and proper persons to be officers.

39 of 1951,
s. 2.

(2) The officers shall be a Commissioner, a Deputy Commissioner, superintendents, a detective superintendent, a pay and quarter-master and a number of assistant superintendents as from time to time directed by the Governor.

The Commis-
sioner.

7. (1) The Commissioner, subject to the general orders and direction of the Governor, shall have the command and superintendence of the force, and shall be responsible to the Governor for peace and good order throughout the Colony, for the efficient administration and government of the force, and for the proper expenditure of all public moneys appropriated for the service thereof.

(2) The Commissioner shall have his headquarters in the City of Georgetown.

(3) The Governor may at any time confer and impose on anyone all or any of the powers and duties of the Commissioner in respect of any members of the force who may be placed under that person's command within any specified district or for any

special purpose, subject to any instructions the Governor from time to time thinks fit to issue with reference to the relations of that person to the Commissioner or with reference to any other matter arising under this section.

8. The Deputy Commissioner shall act as principal assistant to the Commissioner in the performance of his duties, in respect both of the force and of the rural constabulary, and shall have power, during the absence or incapacity of the Commissioner, to exercise any authority or perform any duty which may by law be exercised or performed by the Commissioner.

The Deputy
Commis-
sioner.

9. (1) The superintendents shall be stationed in any division or place the Commissioner thinks fit.

Posting of
superin-
tendents.

(2) Each superintendent shall, subject to the general orders and direction of the Commissioner, have the command and superintendence of the force within his division, and shall be responsible for the efficient performance of all police duties, for the peace and good order of the division, and for the drill and discipline of the members of the force under his command.

10. (1) The detective superintendent shall rank with the other superintendents according to date of appointment.

The
detective
superin-
tendent.

(2) The detective superintendent shall be responsible to the Commissioner for the general investigation and detection of crime throughout the Colony, the accurate record of all circumstances in connection with important crimes and any other duties directed by the Commissioner.

11. The pay and quarter-master shall be responsible for the payment of the salaries and all allowances of the members of the force and of the Georgetown Fire Brigade and for the accounts of all receipts and disbursements of the force; he shall have charge of all buildings and stores belonging to or used by the force.

The pay and
quarter-
master.

12. The assistant superintendents shall be stationed in the districts and places determined by the Commissioner, and shall be responsible for the drill and discipline and efficient performance of the duties of the force within their respective districts and the peace and good order thereof.

Assistant
superin-
tendents.

13. The Commissioner may designate an officer to be staff officer of police, who shall perform the duties determined by the Commissioner.

The
Staff officer.

Officers to be justices of the peace.

14. Every officer of the force shall be *ex officio* a justice of the peace, shall take the oaths required to be taken by justices of the peace, and as justice of the peace shall at all times act ministerially but not in any way judicially.

Inspectors.

Grades and numbers.

15. (1) The Governor may appoint fit and proper persons to be inspectors and may direct what shall be the number, grades and designations of warrant officers of the force.

(2) Subject to the provisions of this Ordinance and of the regulations, the duties of inspectors shall be those from time to time determined by the Commissioner.

Non-Commissioned Officers and Constables.

Non-commissioned officers.

16. The non-commissioned officers shall be a number of sub-inspectors, sergeants, corporals and lance-corporals respectively from time to time directed by the Governor.

Constables.

17. The classes of constables and the number in each class shall be those from time to time directed by the Governor.

Appointment.

18. Subject to the provisions of this Ordinance and of the regulations, the Commissioner may from time to time appoint fit and proper persons to be non-commissioned officers and constables.

Status of member of the force.

19. Every member of the force shall have and enjoy all the rights, powers, authorities, privileges and immunities conferred by statute on a member of the force.

Every member of the force to be a constable.

20. Every member of the force shall, so long as he continues to be a member, be a constable in and for the whole Colony, and shall have all such rights, powers, authorities, privileges, and immunities, and be liable to all such duties and responsibilities, as any constable duly appointed now has or is subject or liable to either by the common law or by virtue of any law.

Member of the force not to hold other appointment.

21. No one of any rank appointed to the force shall, while he holds the appointment, hold any other public appointment or engage in any private business or trade, without the consent of the Governor, signified in writing under the hand of the Chief Secretary.

Oath of office.
46 of 1950,
s. 2.

22. Every officer, sub-officer and constable shall, on his first appointment to the force take and subscribe before the Commissioner, or an officer delegated by him for the purpose, the

following oath :—

I, _____, do swear that I will well and truly serve our Sovereign Lady the Queen in the office of _____ and in such other office in the police force as I may at any time hereafter be appointed to, without favour or affection, malice or ill-will, and that I will cause Her Majesty's peace to be kept and preserved by preventing to the utmost of my power all offences against the same ; and that, while I continue to hold any office in the force, I will to the best of my skill and knowledge discharge all the duties thereof faithfully, according to law.—So help me God.

Duties of the Force.

23. It shall be the duty of the members of the force—

General
duties of the
force.

(a) to keep watch by day and by night in order to preserve the peace, to direct traffic, to prevent and detect crime ;

(b) to apprehend and bring before magistrates persons found committing any offence, or whom they reasonably suspect of having committed any offence or who are charged with having committed any offence rendering them liable to arrest without warrant ;

(c) to summon before magistrates and to prosecute persons reasonably suspected of having committed offences in the following cases :—

(i) in all cases of offences, whether punishable on summary conviction or on indictment, where the complainant or prosecutor is, in the opinion of an officer, unable through poverty to pay the costs and the expenses of the prosecution ;

(ii) in all cases of offences punishable on indictment where the alleged offence is of a serious nature, and it is, in the opinion of an officer of the force, desirable, in the public interest that the prosecution should be undertaken by the force ; and

(iii) in all cases of offences, whether punishable on summary conviction or on indictment, where an order to that effect is made by the Governor, the Attorney General, or the Commissioner ;

(d) to serve and execute all process which they may be liable to serve or execute ;

(e) to repress internal disturbances ;

(f) to defend the Colony against external aggression ;

(g) to assist in all fire-fighting operations ; and,

(h) generally, to do and perform all the duties appertaining to the office of a constable :

Provided that no member of the force shall be employed in the levying of any rents, rates, taxes, or sums of money recoverable for or by any private person or company under the judgment or order of any court.

Military
service.
28 of 1939,
s. 2.

24. (1) In the case of actual or apprehended invasion of the Colony, or in the case of national emergency, the Governor may by order in the Gazette direct that the force or any part thereof shall be employed on actual military service within the Colony, and may at any time revoke, alter, or amend the order.

(2) From the making of the order, and so long as it continues in force, every member of the force, or of the part thereof to which the order applies, shall be deemed to be on actual military service.

(3) Every member of the force on actual military service shall be subject and liable to the provisions and penalties contained in any imperial Act for the time being in force relating to the discipline of Her Majesty's army and to the articles of war made in pursuance thereof.

(4) When any member of the force is killed on actual military service, or dies from wounds or disease contracted on actual military service, provision may be made out of moneys voted by the Legislative Council for his wife and family in accordance with the rules and regulations for the time being in force governing the provision made in like case for the wives and families of officers, warrant officers, non-commissioned officers, and men of Her Majesty's army, or in accordance with any other rules and regulations prescribed by the Governor in Council.

Power to
arrest
without
warrant.

25. Any member of the force may arrest without a warrant,—

(a) anyone committing in his view an offence punishable either upon indictment or upon summary conviction ; or

(b) anyone charged by another with committing an aggravated assault whenever the member of the force has good reason to believe that assault to have been committed although not within his view, and that, by reason of the recent commission of the assault, a warrant could not have been obtained for the apprehension of the offender ; or

(c) any loose, idle or disorderly person whom the member of the force finds disturbing the public peace, or anyone whom he has good cause to suspect of having committed or

being about to commit any felony, misdemeanour, or breach of the peace, and anyone whom he finds between the hours of eight o'clock in the evening and five o'clock in the morning lying or loitering in a highway, yard, or other place and not able to give a satisfactory account of himself.

26. Any member of the force may call on any person to assist him if, while acting in the execution of his duty, he is resisted, or assaulted, or is in danger of being resisted or assaulted, or is otherwise in need of assistance, and anyone so called on who, without reasonable excuse, refuses or neglects to render assistance shall be guilty of an offence and be liable on conviction thereof to a fine not exceeding one hundred dollars.

Duty to assist members of the force.

27. Everyone who puts on or assumes, either in whole or in part, the dress, name, designation, or description of any member of the force to which he is not entitled, for the purpose of obtaining admission into any house or other place, or of doing or promising to be done any other act which he would not by law be entitled to do or promise to be done of his own authority, shall be guilty of an offence, and on conviction thereof shall be liable to a penalty not exceeding fifty dollars or to imprisonment not exceeding three months.

Personation of member of the force.

28. (1) Subject to any enactment making other provision in that behalf, the Commissioner shall from time to time direct a sufficient number of members of the force to attend on the magistrate of each judicial district, and to obey and execute all his lawful writs, warrants, orders, and commands in all criminal and quasi-criminal causes and matters.

Assignment of constables to execute process.

(2) Any warrant lawfully issued to a member of the force for apprehending a person charged with a criminal offence may be executed by any member of the force at any time notwithstanding that the warrant is not then in his possession, but the warrant, on the demand of the person apprehended, shall be shown to him as soon as practicable after his arrest.

(3) Any other warrant lawfully issued to a member of the force may be executed only by a member of the force having it in his possession at the time it is executed and on the demand of any person affected thereby it shall be then shown to that person or at any time afterwards.

(4) Anyone affected by a warrant shall be permitted at any reasonable time to take or have taken on his behalf a copy thereof.

Endorsement
of process.

29. When any writ, warrant, order, or command of any magistrate or justice of the peace is delivered or given to a constable, he shall, if time permits, show or deliver it to the officer or sub-officer of the force under whose immediate command he then is, and the officer or sub-officer, shall, if necessary, nominate and appoint by endorsement thereon, any one or more of the constables under his orders, and any assistant or assistants to him or them, the officer or sub-officer thinks proper, to execute the writ, warrant, order, or command ; and every constable or other constable whose name is so endorsed, and every assistant aforesaid, shall have all the same rights, powers and authorities for and in the execution of the writ, warrant, order, or command, as if it had been originally directed to him expressly by name.

Action
against
member of
the force for
acting in
obedience to
warrant.

30. (1) Where any action is brought against any member of the force for any act done in obedience to the warrant of any magistrate or justice of the peace, he shall not be held responsible for any irregularity in the issuing of the warrant, or for any want of jurisdiction in the magistrate or justice issuing it, and may plead the general issue and give the warrant in evidence.

(2) Upon production of the warrant and proof that the signature thereto is in the handwriting of the magistrate or justice whose name appears subscribed thereto, and that the act or acts of which complaint is made was or were done in obedience to the warrant, the court shall give judgment for the member of the force and he shall recover full costs of suit as between solicitor and client.

Power to
take measure-
ments,
photographs,
and finger
prints.
46 of 1950,
s. 3.

31. (1) It shall be lawful for any officer, or for any non-commissioned officer authorised in writing in that behalf by the Commissioner, to take and record for the purposes of identification the measurements, photographs and finger print impressions of all persons who may from time to time be in lawful custody :

Provided that if such measurements, photographs and finger print impressions 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, photographs and finger print impressions shall be forthwith destroyed or handed over to such person.

46 of 1950,
s. 3.

(2) Any person who shall refuse to submit to the taking and recording of his measurements, photographs or finger print impressions shall be taken before a magistrate who, on being satisfied that such person is in lawful custody, shall make such

order as he thinks fit authorising any officer or non-commissioned officer to take the measurements, photographs and finger print impressions of such person.

(3) For the purposes of this section a person shall be deemed to be in lawful custody where he is lawfully detained at any police station in connection with the commission of any crime within the meaning of section 2 of the Prevention of Crimes Ordinance. 46 of 1950,
s. 3.
Cap. 78.

B.—GENERAL ADMINISTRATION.

32. The Commissioner may, with the approval of the Governor, by notice in the Gazette, assign the boundaries of each police division and district and may at any time vary them. Boundaries of police divisions and districts.

33. The Governor may assign from time to time the buildings and premises respectively provided or available for the use of the force and may make any further provision necessary for the accommodation of the force. Provision of buildings for the force.

34. (1) There shall be a police depot in the City of Georgetown in any place assigned by the Governor. Depot.

(2) The Commissioner shall always keep in reserve in the depot a number of officers, sub-officers and constables in his opinion sufficient for any emergency.

(3) Subject to the regulations, the Commissioner may direct any member of the force to be attached to the depot for any period or periods and to undergo any drill and military training and instruction generally he thinks fit.

35. There shall be a central police station in the City of Georgetown and in each division. Central stations.

36. The members of the force shall be distributed in the divisions, districts and depot in the numbers and manner the Commissioner with the approval of the Governor thinks fit. Distribution of the force.

37. (1) The Governor may provide hospital accommodation and medical and dental treatment for the members of the force as he thinks fit, and may cause medicine, food, attendance, and other necessaries, to be supplied to sick members in hospital and may order any deductions requisite to defray all or any of the charges so incurred to be made from the salary or pay of the sick members :

Provision of hospital accommodation and treatment.

Provided that no deduction shall be made from the pay of a member sent to hospital on account of injury received by him in the performance of his duty.

(2) If any member is incapacitated for duty by his own misconduct the Governor may order that he shall forfeit the whole or any part of his salary or pay for the period during which he is so incapacitated.

Enrolment of Constables and Non-commissioned Officers.

Qualifications
for enrolment
in the force.

38. With respect to the enrolment of constables and non-commissioned officers the following provisions shall have effect :—

(a) No one shall be enrolled who—

(i) is less than eighteen years or more than thirty-five years of age ;

(ii) is not of the required height and chest measurement, according to a standard to be from time to time fixed by the Commissioner ;

(iii) does not satisfactorily pass a medical examination as to his bodily fitness, to be held by a surgeon to the force, and, if the Commissioner thinks fit, by another duly qualified medical practitioner ; and

(iv) does not produce satisfactory proof of good character for energy, ability, sobriety and honesty and of his being able to read and write, but the Commissioner may, for special reasons, dispense with this last mentioned qualification in any particular case ;

(b) subject to the provisions hereinafter contained, enrolment shall be for a period of three years, but at the expiration of that period the constable or non-commissioned officer, if efficient, of good character, and qualified as herein stated for further service, shall, on giving three months' previous notice in writing to the Commissioner, have the option of being re-enrolled for another like period or for one year, and so on from time to time until he attains the age of fifty-five years. Any notice once given shall be irrevocable.

Period of
probation
after enrol-
ment.

39. (1) For the first three months after his original enrolment every constable shall be deemed to be on probation, and, if during that period he is found to be wanting in intelligence or to be otherwise unfit for the force, his services may be dispensed with by the Commissioner ; at the end of that period, if his services have not been dispensed with, his enrolment shall be deemed to be duly confirmed.

(2) The provisions of this section shall apply to every person who having left the force is subsequently enrolled therein.

40. Everyone on being enrolled in the force, shall make and sign before the Commissioner, or an officer appointed by him, and in the presence of two witnesses, the declaration following :—

Declaration to be made on enrolment.

I, _____, declare, that I willingly enlist to serve in the police force of the Colony of British Guiana, and that, while so serving, I will comply with and hold myself amenable to the laws and regulations now established, or which may hereafter be established, for the government and discipline of the force ; and I further declare that I will not withdraw myself from the force except in accordance with those laws and regulations.

(Signed)

Signature of witnesses.

Declared before me this _____ day of _____ 19 _____

(Signed)

Commissioner of Police.

Supernumerary Constables.

41. (1) If in any case application is made by anyone to the Commissioner for constables to be employed in his service and on special duties, the Commissioner may enrol men as supernumerary constables to be employed on the special service.

Super-numerary constables.

(2) The men so enrolled and employed shall be deemed to be for all purposes members of the force and shall be subject to the regulations and to all the provisions of this Ordinance relating to the discipline, punishment, powers and immunities of constables.

(3) The pay and expenses of the supernumerary constables shall be defrayed by the person requiring their services, who shall also defray the cost of uniform and any other reasonable expenses the Commissioner may decide to be necessary, and the pay and expenses shall be paid monthly in advance to the Commissioner.

(4) Proceedings for any sum payable under this section may, on the complaint of an officer of police, be taken before any magistrate against the person liable to pay the sum.

(5) Whenever anyone availing himself of the services of the supernumerary constables desires to have their services discontinued, he shall give one month's notice thereof to the Commissioner, but the Commissioner may, in his discretion, dispense with the notice.

Clothing and Equipment.

42. (1) The Governor may from time to time direct in what manner the force shall be armed, equipped and clothed.

(2) All members of the force shall be armed at the public expense, and all members under the rank of assistant superintendent shall be equipped and clothed at the public expense, but the equipment shall not include vehicles.

(3) All horses required for the use of the force shall be supplied at the public expense.

(4) Every constable residing at a station or at the depot shall be furnished with a cot, bolster, and blanket.

(5) Unless he is expressly authorised to do so by the regulations, no member of the force shall be entitled to keep or use for his private benefit any article whatsoever which has been supplied to him at the public expense, but he shall hold it at the order and disposal of the Commissioner.

43. Any member of the force who improperly lends, gives away, pledges, or sells, or wilfully spoils or damages any article whatsoever supplied to him at the public expense and which he has not been expressly authorised to keep or use for his private benefit, shall be guilty of an offence and on conviction thereof shall be liable to a penalty not exceeding forty-eight dollars or to imprisonment for any term not exceeding three months.

44. (1) Every member of the force who is dismissed therefrom, or resigns his office, or otherwise leaves the force, shall forthwith surrender to the person appointed by the regulations or by the Commissioner for that purpose, every article whatsoever supplied to him at the public expense and which he has not been expressly authorised to keep or use for his private benefit.

(2) Anyone who contravenes this section shall be guilty of an offence and on conviction thereof shall be liable to a penalty not exceeding forty-eight dollars, or to imprisonment, for any term not exceeding three months; and any justice of the peace may issue his warrant to search for and seize all the articles which are not so surrendered, wherever they may be found, and to arrest the person in whose possession they are found.

45. (1) When any member of the force dies possessed of any articles which had been supplied to him for the execution of his office but which he had not been expressly authorised to keep for his private benefit, his personal representative or heir, or the

Arming,
clothing and
equipment.

Improper
use of
articles
supplied.

Surrender
of articles
supplied on
leaving the
force.

Surrender
of articles
on death.

person in whose house he dies, shall, within fourteen days after his death, deliver all those articles whatsoever to the person appointed by the regulations or by the Commissioner for that purpose.

(2) Anyone who contravenes this section shall be guilty of an offence, and on conviction thereof shall be liable to a penalty not exceeding forty-eight dollars, or to imprisonment for any term not exceeding three months; and any justice of the peace may issue his warrant to search for and seize all articles not so delivered, wherever they may be found, and to arrest the person in whose possession they are found.

46. Everyone who has in his possession any article whatsoever supplied at the public expense to any member of the force which that member has not been expressly authorised to keep or use for his private benefit, and who does not satisfactorily account for his possession thereof, shall be guilty of an offence for which he may be arrested, without warrant, by any constable, and on conviction thereof shall be liable to a penalty not exceeding forty-eight dollars or to imprisonment for any term not exceeding three months.

Improper possession of article supplied.

Messing of Constables.

47. (1) Every unmarried constable residing at the depot and, if he desires it, every married constable so residing, shall be severally provided with mess utensils and sufficient good and wholesome food in the manner and at the times and places from time to time directed and appointed by the Commissioner.

Provisions for messing of constables.

(2) The cost of the food and mess utensils, with the expense of providing them, shall be defrayed by the constables to whom they are supplied and shall be deducted in each month from the pay of those constables.

(3) A military tin or canteen shall be provided at the public expense for every constable to whom this section applies.

Discipline.

48. (1) Any member of the force who—

(a) begins, raises, abets, countenances, or excites mutiny, or causes or joins in any sedition or disturbance amongst any members of the force on any pretence whatsoever; or,

(b) being present at any assemblage tending to riot, does not use his utmost endeavour to suppress the riot; or,

Serious offence by member of the force. 46 of 1950, s. 4.

(c) coming to the knowledge of any actual or intended mutiny, rebellion, or insurrection, does not without delay give information thereof to an officer or a justice of the peace ; or

(d) assaults a magistrate or any superior officer or sub-officer ; or

(e) draws, or offers to draw or lift up, any weapon, or offers any violence against any magistrate or any superior officer or sub-officer,

shall be guilty of an offence and on conviction thereof shall be liable to a penalty not exceeding five hundred dollars or to imprisonment for any term not exceeding one year.

(2) Anyone so convicted shall *ipso facto* cease to be a member of the force.

Less serious
offence by
sub-officer
or constable.

49. Any sub-officer or constable who—

(a) refuses or neglects to serve or execute any warrant or process lawfully directed to be by him served or executed ; or

(b) is guilty of any neglect or violation of duty in his office ;
or

(c) is guilty of any breach of any regulation for which no special punishment is provided or of any other misconduct as a member of the force ;

shall be guilty of an offence, and on conviction thereof shall be liable to a penalty not exceeding twenty-four dollars or to imprisonment for any term not exceeding two months.

Withdrawal from the Force.

Withdrawal
during
probation.

50. No non-commissioned officer or constable enrolled in the force shall be at liberty to withdraw therefrom during the period of probation, unless he obtains the permission of the Commissioner to do so.

Withdrawal
with per-
mission of
Governor
and
dismissal.

51. The Governor may grant permission to any member of the force to withdraw therefrom at any time, and may dismiss from the force any member whose dismissal he considers advisable.

Cesser of
service at
expiration of
period of
enrolment.

52. At the expiration of the period for which a non-commissioned officer or constable has been enrolled or re-enrolled he shall cease to be a member of the force unless he has exercised his option of continuing therein by giving notice as required by paragraph (b) of section 38 of this Ordinance, but the Commissioner may permit a non-commissioned officer or constable who has omitted to give the notice to continue in the force if he desires to be enrolled.

53. (1) A non-commissioned officer or constable who—

(a) while serving on probation in the force, withdraws therefrom without the permission of the Governor ; or

(b) withdraws from the force after his period of probation without the permission of the Commissioner during any period for which he has been enrolled or re-enrolled ; or

(c) absents himself from roll call and from duty for a space of twenty-four hours or more without permission of his superior officer or lawful excuse,

shall be deemed to have illegally withdrawn from the force, and shall be guilty of an offence and on conviction thereof shall be liable to imprisonment for two months.

(2) It shall be sufficient in any charge or complaint for an offence under this section to state that the person against whom proceedings are taken, being then a non-commissioned officer or constable serving in the force, did illegally withdraw therefrom, and on proof being given of withdrawal or of absence from roll call and duty for twenty-four hours, the onus of proving the permission of the Governor, of the Commissioner or of his superior officer, or lawful excuse, as the case may be, shall be on that person.

(3) The provisions of this section shall apply to any warrant officer who absents himself as stated in paragraph (c) of subsection (1) of this section.

54. On a complaint being made on oath to a magistrate by any officer that a sub-officer or constable has illegally withdrawn from the force and that there is reasonable cause to suspect that the sub-officer or constable is concealed on any premises, or is aboard any vessel within the limits of the Colony, the magistrate shall grant to the officer a warrant to search, with proper assistants, the premises on or vessel in which the sub-officer or constable is suspected of being concealed, and, if he is found, to arrest him in order that he may be dealt with according to law.

Illegal withdrawal of non-commissioned officer or constable.

Warrant to apprehend sub-officer or constable illegally withdrawing from the force.

55. An officer may order the arrest of a sub-officer or constable for any offence mentioned in section 48, 49 or 53 of this Ordinance, and that he be taken before a magistrate to be dealt with according to law.

Power to order arrest of member of the force.

56. Anyone who—

(a) knowingly aids or abets any sub-officer or constable illegally to withdraw from the force ; or

(b) knowingly conceals any sub-officer or constable who has illegally withdrawn from the force ; or

Aiding in illegal withdrawal from the force or entertaining member on duty.

(c) knowing that any sub-officer or constable has illegally withdrawn from the force, aids him to quit the Colony ; or

(d) knowing a sub-officer or constable to be on duty harbours or entertains, or either directly or indirectly sells or gives any intoxicating liquor to the sub-officer or constable, or permits the sub-officer or constable to abide or remain in his house (except in extreme urgency)

shall be guilty of an offence, and on conviction thereof, shall be liable to a penalty not exceeding forty-eight dollars.

Causing disaffection, etc., amongst members of force.

57. Anyone who causes or attempts to cause, or does any act calculated to cause, disaffection amongst the members of the force, or induces or attempts to induce, or does any act calculated to induce, any member of the force to withhold his services or commit breaches of discipline, shall be guilty of an offence and shall be liable to imprisonment for a period not exceeding six months, or to a fine not exceeding two hundred and forty dollars, or to both the imprisonment and fine, 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.

Suspension and dismissal of sub-officer or constable.

58. (1) Any sub-officer or constable against whom any complaint or information of an offence punishable on summary conviction or of an indictable offence has been laid may, until and pending his trial,—

(a) be suspended from his pay and duty at the discretion of the Commissioner ; or

(b) if admitted to bail and not so suspended, be employed on any duty and at any rate of pay the Commissioner thinks fit :

Provided that if the complaint or information is dismissed, or the sub-officer or constable is acquitted, the Commissioner may, if he thinks fit, direct the whole or any part of the pay withheld under this subsection to be paid to the sub-officer or constable.

(2) The Governor may at any time dismiss any sub-officer or constable from the force.

Right of appeal.

59. (1) Any member of the force who is dissatisfied with the decision of his superior officer in any matter may, subject to the regulations, appeal to the Commissioner, who may make any order the circumstances require.

(2) The Commissioner may, without appeal, reduce any punishment imposed by an officer on a constable.

(3) Any member of the force who is dissatisfied with the decision of the Commissioner in any matter may, subject to the regulations, within three days after the decision has been communicated to him, appeal to the Governor, whose decision shall be final.

60. (1) The Commissioner may from time to time make Regulations. regulations relating to all or any of the following matters, that is to say :—

(a) the description and issue of arms, accoutrements, uniforms and necessaries to be supplied to the force ;

(b) the promotion or degradation of non-commissioned officers and constables from one grade to another ;

(c) the suspension or dismissal of non-commissioned officers and constables ;

(d) the guidance of the officers, sub-officers and constables of the force in the discharge of their duties ;

(e) the drilling and discipline of the force ;

(f) the distribution of the force throughout the Colony and the requiring of any officer, sub-officer, or constable to reside in the barracks provided for him ;

(g) the management and good government of the police depot ;

(h) the messing of the non-commissioned officers and constables of the force, or of any portion or section thereof whenever and for any period the Commissioner deems expedient ;

(i) the regulation of the duties of the force relating to persons confined in the lockups at police stations ; and

(j) generally, for the good order and government of the force.

(2) All the regulations shall be subject to the approval of the Governor.

(3) There may be annexed to the breach of any of the regulations,—

(a) in the case of an officer or warrant officer, suspension from pay and duty until the Governor decides ;

(b) in the case of a non-commissioned officer or constable reduction to a lower grade, or suspension without pay for any period not exceeding twenty-eight days, or a fine not exceeding ten days' pay, or confinement to barracks not

exceeding twenty-eight days, or confinement to barrack cells not exceeding seven days, as may be thought fit.

C.—MISCELLANEOUS PROVISIONS.

61. (1) When a charge or complaint is made against a member of the force for misconduct or breach of the regulations, any officer of the force may inquire into the truth of the charge or complaint upon oath ; and the officer shall have the same powers in respect to securing and compelling the attendance of witnesses and their examination and otherwise as are conferred upon a magistrate under the Summary Jurisdiction Ordinances :

Provided that, in case of a charge or complaint against an officer, the inquiry under this section shall be held by an officer of superior rank.

(2) Everyone who on the inquiry gives false evidence on oath shall be deemed guilty of perjury.

62. Subject to the provisions of this Ordinance, every offence or penalty hereunder may be prosecuted and enforced under the Summary Jurisdiction Ordinances.

63. Where a member of the force lays an information or makes a complaint against anyone, any officer or sub-officer may appear before the magistrate who is trying or inquiring into the matter of the information or complaint and shall have the same privileges as to addressing the magistrate and examining the witnesses adduced in the matter as the member of the force who laid the information or made the complaint would have had.

64. If, on the trial of any criminal cause in the Supreme Court, the judge before whom the cause is tried is of opinion that any sub-officer or constable has distinguished himself in apprehending or detecting and bringing to justice the perpetrator or abettor of a crime, the judge shall have authority to grant a reward, not exceeding twenty dollars, to that sub-officer or constable ; and the reward shall be paid from the Treasury, on the certificate of the judge, out of any money provided for that purpose by the Legislative Council.

65. (1) All articles coming into the possession of any member of the force and remaining unclaimed for the space of three months may be publicly sold at auction, after due advertisement thereof for fourteen days :

Inquiry into complaint made against member of force.

Perjury on inquiry.

Prosecution of offences.

Right of officer or sub-officer to prosecute police cases.

Grant of special reward.

Sale of unclaimed articles in the hands of the force.

Provided that—

(a) an animal whose value does not exceed two dollars, remaining unclaimed for seven days, may be publicly sold at auction, after due notice thereof for seven days ; and

(b) perishable goods may be thrown away or destroyed when they have become unfit for use.

(2) The proceeds of all sales aforesaid shall be paid to the Financial Secretary for and on behalf of the Colony.

66. (1) For the purpose of enabling sub-officers and constables of the force to consider and bring to the notice of the Commissioner and the Governor matters affecting their general welfare and efficiency, there shall be established an organisation to be called the Police Federation which shall act through Branch Boards, Central Conferences and a Central Committee as provided for by rules made under this Ordinance.

Constitution
of Police
Federation.
46 of 1950,
s. 5.

(2) All representations shall be made to the Commissioner in the first instance, and the Commissioner shall, if requested by the Federation so to do, submit such representations to the Governor.

46 of 1950,
s. 5.

(3) No representation shall be made by the Federation in relation to any question of discipline, promotion, transfer, leave or any other matter affecting individuals.

46 of 1950,
s. 5.

(4) The Police Federation shall be entirely independent of and unassociated with any body outside the force.

46 of 1950,
s. 5.

67. The Commissioner may, with the approval of the Governor in Council, make rules for the constitution and government of the Police Federation and as to any matter appertaining to the Federation.

Police
Federation
rules.
46 of 1950,
s. 5.

68. (1) No member of the force may be or may become a member of any trade union.

Membership
of trade
unions
forbidden.

(2) No trade union may permit a member of the force to receive any benefit, financial or otherwise, from the union, nor may any trade union receive any money from a member of the force.

(3) Upon any contravention of the provisions of this section, the member of the force and every officer of the union who is knowingly a party to the contravention shall be guilty of an offence, and shall on conviction thereof be liable for each offence to a penalty not exceeding one hundred dollars.

Protection of sub-officers and constables from civil process for debt.

69. (1) No one may deduct from the pay or allowances of a sub-officer or constable any amount on account of any order, charge or incumbrance, given, made, or created by the sub-officer or constable on his pay or allowances except for reasonable and *bonâ fide* charges for not more than three months' arrears of house or land rent due by the sub-officer or constable.

(2) No pay or allowances aforesaid or any part thereof shall be paid to any person other than the sub-officer or constable to whom it or they is or are due, except in case of the illness, absence, or other incapacity of the officer or constable, when the pay or allowances due to the sub-officer or constable may be delivered to any agent duly authorised by him in writing to receive it or them.

(3) No pay or allowances aforesaid or any part thereof shall be liable to be attached, seized, or taken in execution by any process of law or otherwise howsoever.

(4) No sub-officer or constable shall be liable to be imprisoned under the order of a court by reason of the non-payment of any debt or demand he has incurred or for which he has become liable.

(5) The provisions of this section relating to the stoppage of pay shall not be construed to apply to any penalties or stoppages incurred by any sub-officer or constable under this Ordinance or under any of the regulations.

Liability of sub-officer and constable for maintenance of wife and children.

70. (1) Every sub-officer and constable shall be liable to contribute to the maintenance of his wife and his children, and also to the maintenance of any illegitimate children of whom he is proved to be or admits he is the father, to the same extent as if he were not a member of the force.

(2) If a sub-officer or constable fails to contribute a sufficient amount for the maintenance of his wife and children, the Commissioner may deduct the amount from his pay, not exceeding one-third thereof, which is necessary and may apply that amount towards the maintenance of his wife and children in any manner the Commissioner thinks fit.

Construction of expression "superintendent of police." 26 of 1949, s. 7A and 3rd sch.

71. Where in any enactment or in any document of whatever kind the expression "superintendent of police" is used with reference to matters of police jurisdiction and powers, the expression shall, unless the context otherwise requires, be deemed to include any officer of the force of or above the rank of assistant superintendent.

72. The funeral expenses of any constable dying whilst in the force shall be defrayed by the Commissioner from any moneys provided by the Legislative Council for that purpose.

Funeral expenses of constable dying in the force.

D.—REWARD FUND AND PENSIONS.

Reward Fund (Old System).

73. (1) In this section "the fund" means the police reward fund in existence on the 16th May, 1900, and on and after that date called the reward fund (old system).

Interpretation of "the old fund."

(2) The fund shall be continued and shall be kept by the Financial Secretary and administered in the manner hereinafter directed.

Administration of fund.

(3) (a) The fund shall be appropriated for the payment of the pensions according to the provisions hereafter in this section mentioned, and of the allowances, gratuities and rewards from time to time awarded and directed by the Governor to be paid to the non-commissioned officers and constables who were members of the force on the 16th May, 1900, hereinafter described as under the old system.

Appropriation of fund.

(b) The Governor may order any non-commissioned officer or constable under the old system who entered the force before the 12th January, 1898, and is disabled by infirmity of mind or body, to be superannuated, and that non-commissioned officer or constable, if he has completed ten years of faithful service in the force, shall thereupon be entitled to receive out of the fund the yearly pension directed by the Governor, not exceeding one-fiftieth of his salary for each completed year of service :

Pension to members of force before 12th Jan., 1898.

Provided that,

(i) if he is under fifty years of age, the pension shall not be granted except on the certificate of the Commissioner, and of a surgeon to the force or a government medical officer with the approval of the Director of Medical Services, that the non-commissioned officer or constable to be superannuated is incapable, from infirmity of mind or body contracted while in the service, to discharge the duties of his office ; and

(ii) if any non-commissioned officer or constable under the old system who entered the force before the 12th January, 1898, is disabled from serving in the force by reason of any injury received in the actual execution of the duties of his office, he may be granted a pension not exceeding three-fourths of his pay.

(c) Any non-commissioned officer or constable under the old system who entered the force before the 12th January, 1898, who has completed not less than twenty-three years of faithful

service in the force shall, upon his retirement from the force, be entitled, on the recommendation of the Commissioner, to a pension as mentioned in the last preceding paragraph of this subsection.

Pension to member entering after 12th Jan., 1898.

(d) The Governor may order any non-commissioned officer or constable under the old system who entered the force on or after the 12th January, 1898, and who is disabled by infirmity of mind or body, to be superannuated, and that non-commissioned officer or constable, if he has completed ten years of faithful service in the force, shall thereupon be entitled to receive out of the fund the yearly pension directed by the Governor, not exceeding one-sixtieth of the average annual salary received by him for the three years immediately preceding the time when he retires for each completed year of service up to a limit of thirty years :

Provided that,—

(i) if he is under fifty-five years of age the pension shall not be granted except on the recommendation of the Commissioner, and on a certificate of a government medical officer with the approval of the Director of Medical Services, that the non-commissioned officer or constable to be superannuated is incapable from infirmity of mind or body contracted while in the service to discharge the duties of his office and that that infirmity is likely to be permanent ; and

(ii) if the non-commissioned officer or constable is disabled from service in the force by reason of any injury received in the actual execution of the duties of his office, he may be granted a pension not exceeding three-fourths of his pay.

(e) Nothing herein contained shall be construed to entitle absolutely any non-commissioned officer or constable under the old system to any pension, or to prevent his being dismissed without pension, and the pension of any pensioner who is convicted on an indictment for any felony or misdemeanour shall cease and determine, unless the Governor in Council otherwise decides, and the pension of any pensioner who is convicted of an offence punishable on summary conviction, or who quits the Colony after a charge of having committed that offence or any indictable offence has been laid against him, and before the charge has been investigated or heard and determined, may be declared forfeited by the Governor in Council.

Pension to non-commissioned officer or constable after shorter service.

(4) The Governor, on the recommendation of the Commissioner, and on the certificate of a government medical officer with the approval of the Director of Medical Services that any non-commissioned officer or constable under the old

system who has not served in the force for ten years is incapable, from infirmity of mind or body contracted while in the service, to discharge the duties of his office, may order that he shall receive out of the fund upon his retirement, a pension calculated in the manner mentioned in subsection (3) of this section or, at the discretion of the Governor, a sum, by way of gratuity, to the Governor seeming proper, not exceeding one month's pay for each completed year of service.

(5) If any non-commissioned officer or constable under the old system is killed in the execution of his duty and leaves a widow, his widow shall be entitled to receive annually from the fund during her widowhood a pension according to a scale from time to time fixed by the Governor; and in the case of her re-marriage or death, a like sum may be paid for the support of any legitimate child or children of that non-commissioned officer or constable while under the age of fourteen years.

Pension to widow and children of non-commissioned officer or constable killed in execution of his duty.

(6) If any non-commissioned officer or constable under the old system dies in the service, after faithfully serving for ten years or upwards, and leaves a widow, the Governor may award from the fund an allowance to the widow during her widowhood, and, in the case of her re-marriage or death, an allowance for the support of any legitimate child or children of the deceased non-commissioned officer or constable while under the age of fourteen years.

Allowance to widow and children of non-commissioned officer or constable dying in the service.

(7) The allowance shall be according to a scale from time to time fixed by the Governor.

(8) If any non-commissioned officer or constable under the old system dies in the service, after faithfully serving for a period of five years and not more than ten years, and leaves a widow or a legitimate child or children under fourteen years of age, the Governor may award from the fund to the widow, or child, or children, a gratuity not exceeding the amount of six months' pay of the non-commissioned officer or constable.

Gratuity to widow and children of non-commissioned officer or constable.

(9) If the fund is at any time unable to satisfy the sums charged upon it under this Ordinance, the deficiency shall be made good out of any moneys provided by the Legislative Council for that purpose.

Deficiency in fund.

Reward Fund (New System).

74. (1) In this section "the fund" means the fund established, on the 16th May, 1900, by deduction monthly from the pay of every non-commissioned officer and constable who entered the force after that date of a sum equal to four *per centum* of his

Reward fund (new system).

pay and on and after that date called the police reward fund (new system).

Appropriation of fund.

(2) The sums so deducted shall be appropriated and dealt with according to the following rules, namely—

(a) the deductions shall be paid to the Financial Secretary and by him paid into the government savings bank to an account to be entitled “ Police Reward Fund (new system) ” ;

(b) the Commissioner shall keep a book in his office showing the names of the non-commissioned officers and constables from whose pay the money so deposited has been deducted, and the several amounts deducted from their pay respectively ; and that book shall be open at all times to inspection and audit by the Director of Audit ;

(c) when a non-commissioned officer or constable under the new system withdraws from the force in accordance with the provisions of this Ordinance, or dies in the service, the money deducted from his pay and deposited as aforesaid in the government savings bank, with a sum equal to what would have been the accumulations of interest thereon at compound interest, according to the interest allowed by that bank if each sum so deducted had, when deducted, been deposited to an account in his name, shall, upon the order of the Governor, be paid (as the case may be) to him or to his widow, or, if he leaves no widow, to his heir ;

(d) no sum so paid shall be liable to be taken in execution for any debt of the non-commissioned officer or constable contracted before the date of that payment ;

(e) any non-commissioned officer or constable who is dismissed for misconduct, or withdraws from the force otherwise than in accordance with this Ordinance, shall forfeit all claims on the fund unless, in very special circumstances, the Governor is pleased to make an exception in favour of that member, and direct the return to him of the whole or part of his contributions to the fund without any interest thereon. Any sum forfeited under this provision shall become part of the general funds of the Colony.

Pensions to non-commissioned officers and constables under the new system in special cases.

75. (1) Any non-commissioned officer or constable under the new system who withdraws from the force in accordance with the provisions of this Ordinance,—

(a) on a certificate of a government medical officer with the approval of the Director of Medical Services that he is incapacitated either in mind or body to perform the duties of his office, and that that incapacity has not been caused by his

own intemperance or other misconduct, but has been caused by some injury received in the actual execution of his duty ; or

(b) after attaining the age of sixty years and after more than twenty years' continuous service,

in either case with special certificates of good conduct, may be awarded by the Governor in Council a yearly pension payable out of the revenue of the Colony not exceeding one-third of his salary at the date of his withdrawal from the force.

(2) Any pension under this section shall, unless the Governor in Council otherwise decides, cease if the pensioner is convicted on indictment of any felony or misdemeanour and may be declared forfeited by the Governor in Council if the pensioner is convicted of a summary conviction offence, or quits the Colony after a charge of having committed an indictable offence or an offence punishable on summary conviction has been laid against him and before that charge has been investigated or heard and determined.

Transfer from Old to New System.

76. (1) In this section "the old fund" means the fund referred to in section 73 and "the new fund" means the fund referred to in section 74 of this Ordinance.

Option of members under the old system to come under the new.

(2) Any non-commissioned officer or constable interested in the old fund may, at any time before withdrawing from the force, apply to be placed under the new system, and, on making the application in writing, shall be placed under the new system, if the Legislative Council votes any sum in addition to any amount obtainable from the old fund that may be required to enable the Financial Secretary to pay into the government savings bank the sum first mentioned in subsection (4) of this section.

(3) Any non-commissioned officer or constable who is so placed under the new system, and his widow and heir (if any), shall, by virtue thereof, forfeit all claims on the old fund.

(4) If any non-commissioned officer or constable under the old system is placed under the new system, the Financial Secretary shall thereupon pay into the government savings bank to the credit of the new fund a sum equal to the deductions from the pay of that member of the force made from the commencement of his then existing continuous term of service and prior to his being brought under the new system, and shall pay to that account all future deductions made from his pay on account of the new fund, and those deposits, and the name of that member

of the force shall be duly entered in the book hereinbefore mentioned kept by the Commissioner, and the claims of the member, and his widow and heir, on the new fund shall be the same as if he had come under the new system at the date of his entering the force.

Provisions in force since the 7th September, 1918.

77. (1) All moneys payable under the provisions of section 19 of the Pounds Ordinance, shall after the 7th September, 1918, be paid into general revenue.

(2) All fines inflicted upon any constable under this Ordinance, or under the regulations, shall be deducted from his salary and be paid by the Commissioner to the credit of a fine fund from which special rewards to non-commissioned officers and constables, the cost of upkeep of recreation rooms, of sporting outfits, and of providing amusements, may be paid.

78. Any non-commissioned officer or constable shall be entitled to repayment of the amount to his credit in the new fund at the expiration of the present period of his enlistment, and any non-commissioned officer or constable who joined the service between the 12th January, 1898, and the 16th May, 1900, shall have the same rights, in all respects, as if he had joined after the latter date, and, subject to the Legislative Council providing the necessary amount, he shall be entitled to a refund of all contributions from the commencement of his existing continuous term of service.

PENSIONS.

Provisions in force since the 7th September, 1918.

79. (1) Every non-commissioned officer and constable of the force, who, at a date not less than ten years after the 7th September, 1918, has completed not less than twenty-one years continuous service, shall be entitled to a pension calculated at the rate of one-sixtieth of the annual average amount of his salary during the three years last preceding the time when he retires from the force for each year he has been in the force in continuous service up to a limit of thirty years, but no addition shall be made in respect of any service beyond thirty years :

Provided that if any non-commissioned officer or constable becomes permanently unfitted for service through no fault of his own before completing ten years' continuous service from the 7th September, 1918, the Governor in Council may award him a pension at the above mentioned rate if he has completed in all ten years' continuous service, but the Governor in Council

Moneys paid
under
Cap. 82.

Fine fund.

Repayment
of con-
tributions to
new fund.

Rate of
pension.
2 of 1938,
s. 4.

may award by way of gratuity a sum not exceeding one month's pay for each completed year of service in those cases where the service has been less than ten years.

(2) The Governor in Council may make regulations, subject to the approval of the Legislative Council, for the purpose of prescribing what gratuities may be awarded under this section. Regulations.

80. The widow of any non-commissioned officer or constable killed in the execution of his duty and his children or other dependants may be granted the pension, allowance, or gratuity, fixed by the Governor in Council with the approval of the Legislative Council. Pensions to widows of officers killed in execution of duty.

81. No deductions from the pay of non-commissioned officers or constables in respect of pension shall be made after the 7th September, 1918. Abolition of deductions from pay.

82. No non-commissioned officer or constable shall have an absolute right to any pension under this Ordinance nor shall anything herein limit the right of the Crown to dismiss him without compensation. No absolute right to pension.

83. When any non-commissioned officer or constable who would in the ordinary course be entitled to a pension under this Ordinance has been, in the opinion of the Governor in Council, guilty of negligence, irregularity, or misconduct, in the discharge of the duties of his office, or guilty of any indiscretion or impropriety in his mode of life, for which he has not already been tried and punished, which in the opinion of the Governor in Council has affected the length or efficiency of his service, the Governor in Council may, in his discretion, reduce the amount of the pension and grant the officer or constable a pension at any lower rate he thinks fit. Pension may be reduced for misconduct.

Provisions in force since the 26th January, 1929.

84. (1) The Governor may grant to a non-commissioned officer or constable who has been in the force for twenty years at least continuously on his retirement a pension calculated at the rate of one-nine hundred and sixtieth part of the annual average amount of his salary during the five years last preceding the time when he retires from the force for each month of his then continuous service in the force up to thirty years, but no addition shall be made in respect of any service beyond thirty years. Rate of pension and lump sum payment on retirement. 21 of 1943, s. 2 and sch.

25 of 1936,
s. 2.

(2) In addition to any pension as above there shall be paid to every non-commissioned officer and constable aforesaid on his retirement a sum calculated at the rate of one-thirtieth part of twice the amount of his annual salary at the time of his retirement for each year of his then continuous service in the force up to thirty years.

(3) The provisions of this section shall apply to—

(a) all non-commissioned officers and constables enrolled in the force after the 26th January, 1929 ; and

(b) every non-commissioned officer and constable enrolled in the force before the 26th January, 1929, who, within six months of that date, gives notice in writing to the Commissioner that he desires these provisions to apply to him in lieu of the provisions of any existing Ordinance relating to pensions payable to non-commissioned officers and constables of the force :

Provided that in the case of a non-commissioned officer or constable who enrolled in the force before the 12th January, 1898, and who gives that notice, pension shall be calculated at the rate of one-seven hundred and fifty-sixth part of the annual average amount of his salary during the three years last preceding the time when he retires instead of at the rate of one-nine hundred and sixtieth part as in subsection (1) of this section.

13 of 1942,
s. 2.

(4) For the purposes of this section leave of absence for active service with Her Majesty's armed forces, or for special duty in connection with any war in which Her Majesty may be engaged, shall be counted as service for pension and shall be deemed to be continuous service in the force.

6 of 1949,
s. 2.

(5) Anything contained in any Ordinance to the contrary notwithstanding, the provisions of subsections (1) and (2) of this section shall apply to any non-commissioned officer or constable enrolled in the police force on or before the 26th January, 1929, who on the 1st January, 1948, was a member of the force, and who, on or before the 1st July, 1949, gives notice in writing to the Commissioner that he desires the provisions of this Ordinance to apply to him.

Payment of
gratuity on
death.
25 of 1936,
s. 3.

85. Where a non-commissioned officer or constable dies whilst in the force after having served for ten years at least continuously there shall be paid to his legal personal representative a gratuity not exceeding the amount of his annual salary at the time of his death ;

Provided that the gratuity to be paid to the legal personal representative of a non-commissioned officer or constable to whom section 84 of this Ordinance applies and who, having been enrolled in the force before the 31st December, 1936, dies whilst in the force after having served for twenty years at least continuously shall be at the rate specified in subsection (2) of section 84 of this Ordinance.

86. The Governor in Council may in his discretion reduce the amount of the pension and lump sum to be granted to a non-commissioned officer or constable who has been guilty of negligence, irregularity, or misconduct, in the discharge of his duties, or has been guilty of any indiscretion or impropriety which has affected the length or efficiency of his service.

Power of Governor in Council to reduce pension.

87. (1) No non-commissioned officer or constable shall be entitled to retire from the force on a pension under the provisions of section 84 hereof until he has attained the age of fifty-five years, unless it is proved to the satisfaction of the Governor in Council that a non-commissioned officer or constable under the age of fifty-five years is incapable from infirmity of mind or body to discharge the duties of his office, and that the infirmity is likely to be permanent, in which case the provisions of section 84 of this Ordinance shall apply to that non-commissioned officer or constable if he has been in the force for ten years at least continuously :

Retiring age.

Provided that in case any non-commissioned officer or constable becomes permanently unfitted for service through no fault of his own before completing ten years' continuous service, the Governor in Council may award by way of gratuity a sum equal to one month's pay for each completed year of service.

(2) The Commissioner may require any non-commissioned officer or constable who has attained the age of fifty-five years to retire from the force under the provisions of this Ordinance.

Provisions in force since the 1st June, 1938.

88. (1) The provisions of the Pensions Ordinance, 1933, and any Ordinance amending the same, in so far as they are applicable, shall apply to all non-commissioned officers and constables enrolled in the force on and after the 1st June, 1938 : Provided that service qualifying for pension may commence at the age of eighteen years, and any such officer or constable may be required to retire at any time after attaining the age of fifty-five years.

Pension, etc., of certain members. 2 of 1938, s. 2. Cap. 73.

2 of 1938,
s. 2.
Cap. 73.

(2) For the purposes of this section, in construing the provisions of the Pensions Ordinance, 1933, the expression "officer" in that Ordinance shall include non-commissioned officers and constables enrolled after the date aforesaid and the expression "service" and cognate expressions shall be deemed to include service by those officers and constables in the force.

Pension for
disablement
caused by
injury in
execution
of duty.
2 of 1938,
s. 3.

89. Where any non-commissioned officer or constable enrolled in the force prior to the 1st June, 1938, is disabled from serving in the force by reason of any injury received in the actual execution of the duties of his office, the Governor in Council, on the certificate of a government medical officer that the incapacity is likely to be permanent, may award him a pension not exceeding three-fourths of his pay or a gratuity in lieu thereof fixed by the Governor in Council with the approval of the Legislative Council, or awarded by the Governor in Council under any regulations made hereunder.

Preservation
of pension
rights.
22 of 1946,
s. 2.

90. (1) It shall be lawful, for the Governor to second or temporarily transfer a non-commissioned officer or constable for duty (not being duty as a member of the police force) in the service of the Colony or for duty in the service of another Colony.

22 of 1946,
s. 2.

(2) Where a non-commissioned officer or constable is seconded or temporarily transferred under subsection (1) of this section, and he is seconded or temporarily transferred for duty in an office or employment which would not entitle him to pension under this Ordinance, the period during which he shall serve in such office or employment as aforesaid shall count for pension as if the non-commissioned officer or constable had not been seconded or temporarily transferred.

Provisions in force since the 1st September, 1950.

Pensions,
etc., of
certain
members
of the
force.
28 of 1951,
s. 2.
40 of 1952,
s. 2.
Cap. 73.

91. (1) The provisions of the Pensions Ordinance, 1933, shall, in so far as they are applicable, apply—

(a) to every non-commissioned officer and to every constable who is enrolled after the 1st September, 1950; and

(b) to every non-commissioned officer or constable who was a member of the force on the 1st September, 1950, and who intimates in writing to the Commissioner not later than the 31st December, 1952, that he desires that the provisions of this section shall apply to him:

Provided that—

(a) service qualifying for pension may commence at the age of twenty years; and

(b) the Commissioner may, with the approval of the Governor, require any non-commissioned officer or constable to retire from the force on attaining the age of fifty years.

(2) For the purposes of this section, the expression "officer" occurring in the Pensions Ordinance, 1933, shall include non-commissioned officers and constables, and the expression "service" and cognate expressions shall be deemed to include service by such non-commissioned officers and constables in the force. Cap. 73.

General Provisions.

92. The widow of any non-commissioned officer or constable killed in the execution of his duty, and the children of the non-commissioned officer or constable, may be granted a pension or gratuity fixed by the Governor in Council. Pension to widow of non-commissioned officer or constable killed in execution of his duty.

93. No non-commissioned officer or constable who is dismissed from the force for misconduct, or who ceases to be a member of the force by virtue of subsection (2) of section 53 hereof, or who illegally withdraws from the force, shall be entitled to any pension or lump sum payment. Forfeiture of pension and lump sum payment.

94. (1) No pension to which any non-commissioned officer or constable becomes entitled shall be assignable or transferable, or be liable to be attached, sequestrated, or levied upon, for or in respect of any debt or claim whatsoever. Assignability of pension and lump sum payment.

(2) Any amount not exceeding one-half of any lump sum paid under subsection (2) of section 84 hereof may be assigned or transferred, attached, sequestrated, or levied upon, for or in respect of any debt or claim.

95. No non-commissioned officer or constable shall have an absolute right to compensation for past services, or to any pension, gratuity, or retiring allowance under this Ordinance, nor shall anything herein limit the right of the Crown to dismiss any non-commissioned officer or constable without compensation. No absolute right to compensation or pension.

96. Until retirement from the force of non-commissioned officers and constables to whom the provisions of section 84 of this Ordinance apply has become normal, only those non-commissioned officers and constables whom the Governor in Council in his absolute discretion determines shall be entitled or required to retire on pension as herein provided in each year: Retirement from the force of members to whom sec. 84 applies.

Provided that no non-commissioned officer or constable shall be allowed to retire on pension during the year 1928 except on grounds of ill-health.

Procedure
and appeal.

97. Subject to the provisions of this Ordinance, all offences under this Ordinance shall be punishable on summary conviction, and all fines and penalties imposed or incurred by or under this Ordinance may be sued for and recovered under any Ordinances for the time being in force regulating procedure before magistrates exercising summary jurisdiction and appeals from magistrates' decisions.

Pensions of
officers and
clerks of the
force.
Sawing.

98. (1) Every officer and clerk of the force shall come under the provisions of the Pensions Ordinances.

(2) Non-commissioned officers and constables who have served in the force before the 1st August, 1891, shall be allowed to reckon their services under Ordinances previous to that date in computing their pensions, allowances, or gratuities.

PART II.—SPECIAL CONSTABLES.

Appointment
of special
constables
for district.

99. Whenever it is made to appear to any magistrate for a judicial district, upon the oath of a credible witness, that any tumult, riot or felony has taken place or may reasonably be apprehended in that district and the magistrate is of opinion that the ordinary officers appointed for preserving the peace are not sufficient for that purpose, the protection of the inhabitants, and the security of property in that district, the magistrate is hereby authorised, with the sanction of the Governor first had and obtained, to appoint, by writing under his hand in the form contained in the first schedule hereto, so many as he thinks fit of the householders or other persons (not being legally exempt from serving the office of constable) residing in the district or in the neighbourhood thereof, to act as special constables for the time and in the manner to the magistrate seeming proper and necessary for the preservation of the public peace, the protection of the inhabitants, and the security of property in the district.

First
schedule.

100. On appointing a special constable the magistrate, or any other justice of the peace acting on his behalf, shall administer to every person so appointed, the following oath, that is to say,—

Oath of office
of special
constable.

I, *A.B.*, do swear that I will well and truly serve our Sovereign Lady the Queen, in the office of special constable for the
judicial district [*or* Colony

of British Guiana, *as the case may be*] without favour or affection, malice or ill will, and that I will, to the best of my power, cause the peace to be kept and preserved, and prevent all offences against the persons and properties of Her Majesty's subjects and all others resident in the Colony, and that, while I continue to hold the said office, I will, to the best of my skill and knowledge, discharge all the duties thereof faithfully according to law.—So help me God.

101. The Governor may at any time, if he thinks proper, cause special constables to be appointed by a magistrate and sworn in manner aforesaid for the whole of the Colony and, if he sees fit, may signify that no person shall be excused from being so appointed and sworn by reason of any exemption.

Appointment of special constables for the whole Colony.

102. The magistrate who has appointed any special constables under this Ordinance, or any other magistrate or magistrates authorised by the Governor to do so, shall have power to make orders and regulations from time to time necessary and expedient for rendering those special constables more efficient for the preservation of the public peace, and shall also have power to remove any of them from office for any misconduct or neglect of duty therein.

Orders and regulations by magistrates.

103. Every special constable appointed under this Ordinance shall, not only within the district for which he has been appointed but also throughout the whole Colony, have, exercise, and enjoy the same powers, authorities, advantages, and immunities, and be liable to the same duties and responsibilities, as any police or other constable duly appointed now has by any law or Ordinance.

Powers, immunities and responsibilities of special constable.

104. Anyone so appointed a special constable who—

(a) refuses to take the oath hereinbefore mentioned when required to do so by the magistrate appointing him, or refuses or neglects to appear at the time and place for which he is summoned for the purpose of taking the oath ; or,

Refusal to take the oath.

(b) being called upon to serve, refuses or neglects to serve or to obey the lawful orders and directions given to him for the performance of the duties of his office,

Refusal to serve.

shall, on conviction thereof, be liable to a penalty not exceeding twenty-four dollars, unless he proves, to the satisfaction of the court before which he is tried, that he was prevented by sickness or some other unavoidable accident, in the opinion of the court, constituting a sufficient excuse.

Suspension, or determination of services, of special constable.

105. The magistrate who has appointed any special constable is hereby empowered to suspend or determine the services of any or all of the special constables so called out, and notice thereof shall forthwith be transmitted to the Governor.

Delivery up of staff, or weapon, of office.

106. Every special constable shall, within one week after the expiration of his office, or after he ceases to hold and exercise it pursuant to this Ordinance, deliver over to his successor (if a successor has been appointed) or otherwise to the person, and at the time and place, directed by the magistrate of the district within which he has been called out or resides every staff, weapon, and other article provided for him under this Ordinance; and if he refuses or omits to do so, he shall, on conviction thereof, be liable to a penalty not exceeding ten dollars.

Assaulting special constable.

107. Everyone who assaults or resists any special constable appointed under this Ordinance whilst in the execution of his office, or promotes or encourages any other person to do so, shall be liable, on summary conviction, to a penalty not exceeding ninety-six dollars, or to be imprisoned with or without hard labour for any term not exceeding six months.

Remuneration of special constable.

108. Whenever any special constable is called out or employed on active duty, he shall be paid for the performance of his duty, loss of time, and expenses from the sums from time to time voted by the Legislative Council, at and after the rates from time to time determined by order of the Governor in Council.

PART III.—RURAL CONSTABULARY.

Interpretation.

109. In this Part of this Ordinance, unless the context otherwise requires,—

“the superintendent” means the superintendent of police assigned to have charge of the rural constabulary;

“officer of rural constabulary” includes the Commissioner, the superintendent, and any police officer having the command and superintendence of any rural constables;

“the rural constabulary” means the body of rural constables appointed and acting under this Ordinance;

“constable” means one of those constables and includes any officer or non-commissioned officer of the rural constabulary.

Constitution.

110. There shall be established in and for the Colony a rural constabulary, which shall consist of the officers and non-commissioned officers hereinafter mentioned and of any other non-commissioned officers and constables appointed as hereinafter provided.

Establishment of rural constabulary.

111. The principal objects for which the rural constabulary is established are that its members may be capable—

Objects of establishment.

(a) in time of peace of acting as an efficient auxiliary to the police force in the performance of their ordinary duties ; and

(b) in time of internal disturbance or of external aggression, of at once assuming, to the extent found requisite, the ordinary duties of the police force.

112. The Commissioner may from time to time assign a superintendent to have charge of the rural constabulary, who shall have his headquarters in the City of Georgetown, and, subject to the general order and direction of the Commissioner, shall have the direct command of the rural constabulary and be responsible to the Commissioner for its proper organisation, instruction, and discipline and for the efficient performance of the duties of its members.

Supreme command ; appointment of superintendent, his headquarters and duties.

113. Every officer of the force shall, within the limits of the place in which he exercises authority in matters relating to the force, have the control and command of the rural constabulary and perform the duties in relation thereto prescribed by the regulations or directed by the Commissioner.

Powers of officers of police.

114. The Commissioner may from time to time appoint some fit and proper person, being a non-commissioned officer of the force, to be sergeant-major of the rural constabulary for each of the police divisions.

Appointment of sergeants-major for divisions.

115. (1) The Commissioner may from time to time appoint some fit and proper person, being a member of the rural constabulary, to be sergeant-major of the constabulary for each district.

Appointment of sergeants-major for districts.

(2) If in any case it is in his opinion necessary to do so, the Commissioner may, with the sanction of the Governor, appoint more sergeants-major than one for any district.

Number and distribution of the rural constabulary.

116. Subject to the provisions hereinbefore contained, the rural constabulary shall consist of the number and grades of non-commissioned officers and of the constables from time to time directed by the Commissioner, with the sanction of the Governor.

Appointment of Constables.

Qualifications for appointment.

117. Every male person who is—

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

shall be deemed to be qualified for appointment as a constable.

Appointment.

118. Subject to the provisions of this Ordinance, the Commissioner may appoint any qualified person to be a constable.

Precept of appointment and oath of office.

119. (1) On appointing any person to be a constable, the Commissioner shall deliver or cause to be delivered to him a precept authorising him to act as a constable, which may be in the form in the second schedule hereto.

(2) When he receives the precept the person so appointed shall take, before any justice of the peace, the following oath of office :—

I, *A.B.*, of _____ do swear that I will well and truly serve our Sovereign Lady the Queen as a rural constable for the Colony of British Guiana.—So help me God ;

and on receiving the precept and taking the oath, the person so appointed shall be a constable.

Articles of equipment.

(3) Every constable shall be provided at the public expense with a staff of office, a uniform, and a short manual of the powers and duties of a constable.

Powers and Duties.

General powers.

120. (1) Every constable—

(a) shall have all the powers and shall be entitled to all the privileges and immunities by any law or Ordinance for the time being in force conferred upon any police constable or upon any constable ;

(b) may serve and execute any summons, warrant, or other process in any cause or matter, whether civil, quasi-criminal, or criminal, issued by any magistrate or justice of the peace ; and

(c) shall obey all orders lawfully given to him by a magistrate, or a justice of the peace, or by his superior officer.

(2) The privileges and immunities, however, to which a constable is entitled by virtue of paragraph (a) of the preceding subsection shall be subject to the following modifications:— Restriction of privileges and immunities.

(a) the expression “pay and allowance” means pay or allowance in respect only of a constable’s employment or services as a constable; and

(b) a constable shall not be exempt from liability to be imprisoned under the order of a court by reason of the non-payment of any debt or demand he has incurred or for which he has become liable.

121. (1) The Commissioner may at any time call out the rural constabulary or any portion thereof for active service, and in any case of great emergency, any officer of rural constabulary may call out for active service the portion of the constabulary subject to his orders. Liability for active service.

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

(3) When a call is made, every constable so called out shall forthwith or at the appointed time, unless he is specially excused by the Commissioner or his superior officer, repair to the appointed place of muster and there place himself under the orders of the officer in command for the service required of him and during the necessary period.

(4) Any constable who refuses or neglects to comply with the requirements of this section shall, on conviction, be liable to a penalty not exceeding twenty-four dollars or to imprisonment, with or without hard labour, for any term not exceeding two months.

(5) In any proceeding against a constable under this section, proof that a notice calling out constables for active service was posted at a police station in the district in which the constable resides shall be conclusive proof that the call came to his knowledge.

122. Whenever any constable is called out or employed on active service, or serves or executes any process mentioned in section 120 of this Ordinance, he shall be paid for his services, from the moneys provided by the Legislative Council for that Remuneration of constable.

Third
schedule.

purpose, at and after the rates specified in the third schedule hereto or at and after any other rates from time to time fixed by resolution of the Governor and Legislative Council.

Offences by
constable.

123. Any constable who—

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

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

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

shall be guilty of an offence, and, on conviction thereof, shall be liable to a penalty not exceeding fifty dollars.

Resignation, suspension and dismissal.

Resignation.

124. (1) A constable may resign his appointment on giving one month's notice in writing of his intention to do so to the superintendent of police of the district in which he resides :

Provided that the Commissioner may, if he thinks fit, refuse to accept the resignation for any period he deems necessary.

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

Recom-
mendation
for
suspension or
dismissal.

125. (1) A magistrate may interdict any constable of his district from the performance of his duties, and in that case shall forthwith report the interdiction and the grounds thereof to the Commissioner.

(2) A magistrate, whether after or without interdiction, and a justice of the peace, may recommend to the Commissioner that a constable be suspended or dismissed from his office.

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

Dismissal.

126. The Commissioner may at any time dismiss any constable from his office or dispense with his services.

Publication
of notice of
appointment
and
dismissal.

127. The Commissioner shall give due notice in the Gazette and in one other newspaper of the Colony of all appointments and dismissals of constables under this Ordinance, and shall,

in the month of January in each year, publish in the same manner a list of all the constables appointed and acting, specifying their residences and the districts in which they reside, and specifying non-commissioned officers.

Miscellaneous Provisions.

128. (1) When any constable resigns, or is dismissed from, or ceases to hold and exercise, his office, all powers and authorities vested in him as a constable shall immediately cease and determine, and he shall, within seven days thereafter, deliver over all articles or appointments supplied to him for the execution of his office to the sergeant-major of the district in which he resides.

Surrender of appointments by constable.

(2) Every constable who contravenes this section shall be guilty of an offence, and, on conviction thereof, shall be liable to a penalty not exceeding twenty-four dollars or to imprisonment, with or without hard labour, for any term not exceeding two months; and any justice of the peace may issue his warrant to search for and seize all articles or appointments not so delivered over, wherever they are found, and may arrest the person in whose possession they are found.

Penalty for default.

129. (1) When any constable dies, his heir, executor, or other representative, or the person in whose house he dies, possessed of any articles or appointments supplied to the constable for the execution of his office, shall, within fourteen days after death, deliver up to the sergeant-major of the district in which the constable resided all articles or appointments supplied to, and in the possession of, the constable for the execution of his office at the time of his death.

Surrender of appointments of constable who dies.

(2) Everyone who contravenes this section shall be guilty of an offence, and, on conviction thereof, shall be liable to a penalty not exceeding twenty-four dollars or to imprisonment, with or without hard labour, for any term not exceeding two months; and any justice of the peace may issue his warrant to search for and seize all articles or appointments not so delivered over wherever they are found, and may arrest the person in whose possession they are found.

130. If a constable sustains bodily injury while in the actual discharge of his duty, he shall be provided with medicines, medical comforts, and medical attendance at the public expense, on the written authority of any officer of rural constabulary.

Bodily injury to constable.

Granting of special reward for apprehension of criminal, etc.

131. If, on the trial of any case in the Supreme Court in its criminal jurisdiction, the judge before whom the case is tried is of opinion that any constable has distinguished himself in apprehending or detecting and bringing to justice the perpetrator or abettor of any crime, the judge may grant a reward, not exceeding ten dollars, to that constable; and the reward shall be paid from the Treasury, on the certificate of the judge, out of any moneys provided by the Legislative Council for that purpose.

Making of regulations.

132. (1) The Commissioner may from time to time make regulations relating to all or any of the following matters, that is to say,—

- (a) the clothing and equipment of the rural constabulary;
- (b) the guidance of constables in the performance of their duties;
- (c) the periodical muster and drill of the rural constabulary; and
- (d) generally, the discipline, good order, and government of the rural constabulary.

(2) The regulations shall be subject to the approval of the Governor.

(3) There may be annexed to the breach of any regulation such penalty, not exceeding ten dollars, as seems reasonable.

PART IV.—SPECIAL RESERVE POLICE FORCE.

Establishment of Special Reserve Police Force.
46 of 1950,
s. 6.

133. There shall be established in the Colony a supplemental body of police styled the "Special Reserve Police" (hereinafter referred to as the "Special Reserve") which may be called out for service by the Commissioner, the Deputy Commissioner or any superintendent, in any case of actual threatened internal disturbance or external aggression, or in any case where additional police are required for the preservation of good order.

Commissioner to command the Special Reserve.
46 of 1950,
s. 6.

134. (1) Subject to the directions of the Governor, the Commissioner shall have the general command and superintendence of the Special Reserve.

(2) The Special Reserve in any county or district shall consist of such officers, non-commissioned officers and constables as the Commissioner, with the approval of the Governor, may direct.

135. The Governor may appoint fit and proper persons to be officers of the Special Reserve, and such officers shall be assigned to such county or district as the Commissioner may direct.

Appointment of officers.
46 of 1950,
s. 6.

136. The Commissioner may appoint fit and proper persons to be non-commissioned officers and constables of the Special Reserve.

Appointment of non-commissioned officers and constables.
46 of 1950,
s. 6.

137. Every male person who—

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

Qualifications for appointment.
46 of 1950
s. 6.

may, upon making application in writing to the Commissioner in that behalf, be appointed a constable of the Special Reserve.

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

Precept of appointment and oath of office.
46 of 1950
s. 6.

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

46 of 1950,
s. 6.

“ British Guiana

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

Dated this _____ day of _____ 19 .
Commissioner of Police.”

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

46 of 1950,
s. 6

“ I,
of _____ do swear that I will well and truly serve our Sovereign Lady the Queen as a member of the Special Reserve Police for the Colony of British Guiana.—So help me God.”

139. Every member of the Special Reserve shall be provided with a short manual describing the powers and duties of the Special Reserve Police, a badge, a baton, and such clothing

Equipment.
46 of 1950,
s. 6.

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

Revocation of appointment.
46 of 1950,
s. 6.

140. The appointment of any member of the Special Reserve may be revoked at any time—

(a) by the Governor, in the case of officers ;

(b) by the Commissioner in other cases.

Resignation.
46 of 1950,
s. 6.

141. Any member of the Special Reserve may, except when called out for service under the provisions of the next succeeding section, resign from the Special Reserve by giving to the Governor, in the case of officers, and to the Commissioner, in other cases, one month's notice in writing: Provided that the Commissioner may, in any fit case, dispense with such notice.

Discipline, authority and pay.
46 of 1950,
s. 6.

142. The provisions of sections 48 and 49 of this Ordinance shall apply to every member of the Special Reserve when called out to service, and every such member during that period—

(a) shall have, exercise and enjoy the same powers, authorities, advantages and immunities as a member of the force, and be liable to the same duties and responsibilities ; and

(b) shall be paid for his services from such moneys as may be provided by the Legislative Council, at the same rate as a member of the force of equivalent rank.

Member of Special Reserve to remain within his district when called out for service.
46 of 1950,
s. 6.

143. No member of the Special Reserve shall leave or absent himself from the county or district in which he is stationed during any period in which the Special Reserve are called out for service, without the permission of the officer in charge of the county or district.

Surrender of equipment.
46 of 1950,
s. 6.

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

Offences.
46 of 1950,
s. 6.

145. (1) Every member of the Special Reserve who—

(a) when called out for service, neglects or refuses to serve, or neglects or refuses to obey any lawful command ; or

(b) contravenes the provisions of section 143 of this Ordinance, shall be liable on summary conviction to a fine not exceeding forty-eight dollars.

(2) Every member of the Special Reserve who—

(a) improperly lends, sells, pledges or otherwise disposes of damages or spoils any equipment issued to him at public expense ; or

(b) fails without lawful excuse to return any equipment or pay the value thereof as required by the provisions of section 144 of this Ordinance,

shall be liable on summary conviction to a fine not exceeding twenty-four dollars.

(3) Every person who, during any period in which the Special Reserve are called out for duty, impersonates or in any way pretends to be a member of the Special Reserve shall be liable on summary conviction to a fine not exceeding one hundred dollars or to imprisonment for three months. 46 of 1950,
s. 6.

(4) Every person who is found in possession of any badge, baton, equipment or clothing provided for the use of a member of the Special Reserve, shall, in the absence of a reasonable excuse, be liable on summary conviction to a fine not exceeding forty-eight dollars. 46 of 1950,
s. 6.

146. (1) Where any member of the Special Reserve through no fault of his own, contracts any illness, or sustains bodily injury while in the actual discharge of his duties as such, he shall be provided with medicines, medical comforts and medical attendance at the public expense on the written authority of the Commissioner or the Deputy Commissioner. Illness,
bodily
injury and
death.
46 of 1950,
s. 6.

(2) Where any member of the Special Reserve sustains bodily injury in the circumstances specified in the preceding subsection, and is permanently disabled (either totally or partially) as a result thereof, the Governor in Council may grant him a pension or gratuity, the amount of which shall be subject to the approval of the Legislative Council. 46 of 1950,
s. 6.

(3) Where the aforesaid bodily injury results in death, the Governor in Council may award to the dependants (including any illegitimate children to whose support the deceased was contributing) a pension or gratuity, the amount of which shall be subject to the approval of the Legislative Council. 46 of 1950,
s. 6.

(4) Members of the Special Reserve shall not be regarded as workmen for the purposes of the Workmen's Compensation Ordinance or any amending Ordinance. 46 of 1950,
s. 6.
Cap. 111.

Regulations.
46 of 1950,
s. 6.

147. (1) The Commissioner may, with the approval of the Governor in Council, make regulations providing for the discipline of members of the Special Reserve when called out for service and generally for all the purposes of this Part of this Ordinance.

46 of 1950,
s. 6.

(2) There may be annexed to any regulation for the breach thereof—

(a) in the case of an officer, suspension from pay and duty, pending the decision of the Governor ; and

(b) in the case of non-commissioned officer or constable, suspension without pay for any period not exceeding twenty-eight days, or a fine not exceeding ten days' pay, or confinement to barracks for a period not exceeding seven days.

s. 99.

FIRST SCHEDULE.

FORM OF APPOINTMENT OF SPECIAL CONSTABLE.

To _____ of _____
I, the undersigned _____ magistrate for the
judicial district, do, under the power and authority in me vested by the
Police Ordinance, hereby appoint you to be a special constable for the
judicial district [or the Colony of British Guiana,
as the case may be].

Dated this _____ day of _____ 19 ____ .
(Signed) _____
Magistrate.

s. 119.

SECOND SCHEDULE.

FORM OF PRECEPT TO RURAL CONSTABLE.

THE POLICE ORDINANCE.

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

Dated this _____ day of _____ 19 ____ .
(Signed) _____
Commissioner of Police.

THIRD SCHEDULE.

s. 122.

(As substituted by resolution No. XXI of the 11th November, 1949).

TABLE OF FEES AND ALLOWANCES PAYABLE TO RURAL CONSTABLES.

	From	To
	\$ c.	\$ c.
1. For making any arrest where a warrant has been issued and attending at court... ..	1	50
2. For making any arrest where a warrant has not been issued and attending at court, if the magistrate considers the arrest was properly made		2 50
3. For preparing a summons and attending at court, if the summons has been initialed by an officer of rural constabulary or the sergeant-major of rural constabulary		
4. For executing in the prescribed manner any warrant of distress or levy, or warrant of ejection, or other process issued by a magistrate or justice of the peace	50	1 50
5. For attendance at any muster, to a non-commissioned officer, per diem	\$	c.
For the like attendances to a private constable, <i>per diem</i>	2	00
6. For performance of police duties when required to assist the police, for every eight hours or part of eight hours	1	50
7. In special cases, on the recommendation of the divisional superintendent	2	00
8. Travelling allowance to a constable when engaged in the execution of his duty, on the scale for the time being sanctioned for the police force.		
(a) The fees and allowances specified in Nos. 1-4 and 8 shall, as regards the amount, where the amount is within specified limits, be in the discretion of the magistrate, and shall be paid by the magistrate at the conclusion of the case or the completion of the service. The account shall be made out by the magistrate's clerk.		
(b) The fees specified in No. 5 shall be paid by the officer in command at the close of the muster.		
(c) In any case under No. 1 the Commissioner of Police may, on the recommendation of the magistrate, award special remuneration, not exceeding \$5.		
(d) Where more than two services are performed on the same day, not more than \$3.00 shall be awarded altogether for those services.		
(e) Where any constable receives any monthly pay or salary from colonial revenues, he shall not be entitled to any fees or allowances under this Ordinance, unless the Governor expressly authorises the payment.		