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BRITISH GUIANA

REGULATIONS

MADE UNDER

THE BRITISH GUIANA (CONSTITUTION) ORDER IN COUNCIL, 1953.

IN PURSUANCE OF SUBSECTION (3) OF SECTION 87 OF THE BRITISH GUIANA (CONSTITUTION) ORDER IN COUNCIL, 1953, AS INSERTED BY SECTION 25 OF THE BRITISH GUIANA (CONSTITUTION) (TEMPORARY PROVISIONS) (AMENDMENT) ORDER IN COUNCIL, 1956, THE FOLLOWING REGULATIONS HAVE BEEN MADE BY THE GOVERNOR WITH THE CONSENT OF THE SECRETARY OF STATE :—

1. These Regulations may be cited as the Delegation of Powers (Police Officers) Regulations, 1960.

2.(1) In these Regulations —

“Commissioner” means the person for the time being holding the office of Commissioner of Police and includes, to the extent to which he is authorised to discharge the functions of that office by or in pursuance of section 8 of the Police Ordinance, 1957, the person for the time being holding or acting in the office of Deputy Commissioner of Police.

(2) Unless the context otherwise requires, words and expressions used in these Regulations shall have the same respective meanings as in the Police Ordinance, 1957\*.

3. The powers conferred upon the Governor by subsection (1) of section 87 of the British Guiana (Constitution) Order in Council, 1953, and set out in the second column hereunder are hereby delegated to the officers of the British Guiana Police Force as set out in the first column hereunder—

*Officer*

*Power delegated*

(1) Assistant Superintendents and above

Power to award one or more of the following punishments to any subordinate officer, constable or band apprentice found guilty of a breach of discipline —

(i) a fine not exceeding at any one time three days' pay;

(ii) confinement to barracks for any period not exceeding fourteen days with or without drill;

(iii) a severe reprimand;

(iv) a reprimand;

*Officer**Power delegated*

- (1) Assistant Superintendents and above
- (v) the award of extra drills or fatigues, such extra drills or fatigues not to exceed four hours in every twenty-four hours;
  - (vi) an admonition, subject to review by an Assistant Commissioner of Police and to a right of appeal to the Commissioner.
- (2) Assistant Commissioners of Police and above
- (a) Power to award one or more of the punishments set out in paragraph (1) above and one or more of the following punishments to any subordinate officer, constable or band apprentice found guilty of a breach of discipline —
    - (i) reduction to a lower rank or of rate of pay with the approval of the Commissioner;
    - (ii) confinement to barracks for any period not exceeding twenty-eight days with or without drill;
    - (iii) a fine not exceeding at any one time ten days' pay;
 subject to review by the Commissioner, and to a right of appeal to the Commissioner and to the Governor in any case involving reduction to a lower rank or of rate of pay.
  - (b) Power to review all proceedings in which punishment is awarded by an officer below the rank of Assistant Commissioner of Police and to confirm, set aside or vary any finding and/or punishment, subject to a right of appeal to the Commissioner.
- (3) Commissioner
- (a) Power to dismiss or reduce in rank any inspector, subordinate officer, or constable or to dismiss any band apprentice convicted of any criminal offence, provided that in the case of an inspector the dismissal shall be subject to the confirmation of the Governor and in the case of any other rank to a right of appeal to the Governor.
  - (b) Power to dismiss any inspector, subordinate officer, constable or band apprentice found guilty of a breach of discipline, provided that in the case of an inspector, the dismissal shall be subject to the confirmation of the Governor, and in the case of any other rank to a right of appeal to the Governor.

*Officer**Power delegated*

- (3) Commissioner
- (c) Power to award to any inspector, subordinate officer, constable or band apprentice found guilty of a breach of discipline, one or more of the punishments set out in sub-paragraph (a) of paragraph (2) above; subject in the case of an inspector to a right of appeal to the Governor and in the case of any other rank to a right of appeal to the Governor in any case involving reduction to a lower rank or of rate of pay.
  - (d) Power to interdict from duty any inspector, subordinate officer, constable or band apprentice who may have committed an offence against discipline.
  - (e) Power to order a disciplinary board to be convened to inquire into any charge or complaint or any breach of regulations made under the Police Ordinance, 1957\*, or any ordinance amending the same, or any other matter appertaining to the Police Force.
  - (f) Power to review all proceedings held before an Assistant Commissioner of Police and any officer of lesser rank and to confirm, set aside or vary any finding and/or punishment.
  - (g) Power to appoint subordinate officers, constables and band apprentices.
  - (h) Power to dispense with the services of constables on probation and band apprentices on account of unfitness to perform their duties efficiently on one month's notice.
  - (i) Power to discharge band apprentices for incompetence on six months' notice, and to dismiss band apprentices for misconduct, subject to a right of appeal to the Governor.
  - (j) Power to discharge subordinate officers, constables and band apprentices in the public interest, subject to a right of appeal to the Governor and to the preservation of pension entitlements.
  - (k) Power to interdict from duty inspectors, subordinate officers, constables and band apprentices pending their trial before a civil court.
  - (l) Power to appoint inspectors, subordinate officers and constables of the Special Constabulary and to revoke such appointments.
  - (m) Power to appoint, dismiss or dispense with the services of rural constables.

\* No. 39 of 1957.

4. The instrument of delegation made in pursuance of subsection (3) of section 87 of the British Guiana (Constitution) Order in Council, 1953, as inserted by section 25 of the British Guiana (Constitution) (Temporary Provisions) (Amendment) Order in Council, 1956, and dated the 8th January, 1958, is hereby revoked in so far as it relates to the delegation of powers to officers of the British Guiana Police Force.

Made this 18th day of November, 1960.

R. F. A. GREY,  
Governor.

(M.P. C. 405/5).