

BRITISH GUIANA

REGULATIONS

MADE UNDER

THE BRITISH GUIANA (SPECIAL SERVICE UNIT) ORDER
1964

UNDER SECTION 2 OF THE BRITISH GUIANA (SPECIAL SERVICE UNIT) ORDER 1964, AND BY VIRTUE AND IN EXERCISE OF ALL POWERS ENABLING ME IN THAT BEHALF, I HEREBY MAKE THE FOLLOWING REGULATIONS:

PART I**PRELIMINARY**

1. These Regulations may be cited as the Special Service Unit Regulations 1964. Citation.

2. (1) In these Regulations, unless the context otherwise requires — Interpretation.

“aircraft” means any machine for flying, whether propelled by mechanical means or not, and includes any description of balloon;

“communications officer” means the officer specially appointed to maintain the efficiency of the wireless telegraphy system in use in the Unit and responsible therefor to the Commanding Officer;

“constable” means a member of the Unit below the rank of corporal;

“finance officer” means the officer specially appointed to control the finances of the Unit and responsible therefor to the Commanding Officer;

“inspector” includes a Special Service Chief Inspector and a Special Service Inspector;

“member of the Unit” includes officers, inspectors, subordinate officers and constables;

“officer” means a member of the Unit holding a rank senior to that of Special Service Chief Inspector;

“Order” means the British Guiana (Special Service Unit) Order 1964;

“Police Force” means the British Guiana Police Force;

“prescribed” means prescribed by rules;

- “quartermaster” means the officer specially appointed to control the receipt and issue of all stores and responsible therefor to the Commanding Officer;
- “rules” means rules made under regulation 67 of these Regulations;
- “rural constabulary” means the rural constabulary established under the Police Ordinance 1957;
- “stores” means any article, equipment, merchandise or commodity required for the use of the Unit;
- “subordinate officer” means a member of the Unit other than a constable below the rank of Special Service Inspector;
- “transport officer” means the officer specially appointed to ensure the efficient maintenance of all vehicles and vessels belonging to the Unit and responsible therefor to the Commanding Officer;
- “vehicle” means a vehicle of any kind used on a road;
- “Unit” means the Special Service Unit established under the Order.

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(2) The provisions of the Interpretation Ordinance shall apply for the purpose of interpreting these regulations as they apply for interpreting an Ordinance.

PART II.

CONSTITUTION AND EMPLOYMENT OF THE UNIT

Objects
of Unit.

3. (1) The Unit shall be employed for the preservation of law and order, the preservation of the peace, the repression of internal disturbance, the protection of property, the prevention and detection of crime, the apprehension of offenders and the due enforcement of all laws and regulations with which it is charged and shall perform such military duties within British Guiana as may be required of it by or under the authority of the Governor.

(2) It shall be lawful for the Governor to cause arms and ammunition to be issued to the Unit and for any member thereof to use the same for the purposes referred to in paragraph (1) of this regulation.

Composition
of Unit.

4. The Unit shall consist of a senior superintendent who shall be the officer commanding the Unit (hereinafter referred to as “the Commanding Officer”), and such number of superintendents, deputy superintendents, assistant superintendents, finance officers, quartermasters, communications officers, transport officers, inspectors, subordinate officers and constables as the Governor may from time to time direct.

Liability
to serve
in Unit.

5. (1) Members of the Police Force may, with the approval of the Governor, be permitted to serve in the Unit, or may, under the authority of the Governor, be required to serve in the Unit.

(2) When a member of the Police Force is permitted or required to serve in the Unit, his service in the Police Force shall, for the purpose of pensions and gratuities, be deemed to be service in the Unit.

6. (1) Members of the Unit may, with the approval of the Governor, be permitted to serve in the Police Force, or may, under the authority of the Governor, be required to serve in such Force.

Liability to
serve in Police
Force.

(2) When a member of the Unit is permitted or required to serve in the Police Force, his service in the Unit shall, for the purpose of pensions and gratuities, be deemed to be service in the Police Force.

7. The Governor shall, when necessary, appoint fit and proper persons to be officers and inspectors.

Appointment
of officers
and inspec-
tors.

8. The officers and inspectors of the Unit shall be stationed in such places and shall perform such duties as the Commanding Officer may direct.

Duties of
officers and
inspectors.

9. (1) Every officer shall *ex officio* be a justice of the peace in and for the whole of British Guiana and he shall take the oaths which immediately before the coming into force of these Regulations are required to be taken by justices of the peace.

Officers to be
justices of the
peace.

(2) As such justice every officer shall at all times act ministerially for the purpose of the preservation of the peace, the prevention of crime and the detection and committal of offenders, but he shall not in any way act judicially as a justice, either in any court or in any manner.

10. Subject to the provisions of the Order and of these Regulations, the Commanding Officer may appoint fit and proper persons to be subordinate officers and constables, who shall be stationed in such places and shall perform such duties as the Commanding Officer may direct.

Appointment
of sub-
ordinate
officers and
constables.

11. (1) The provisions of paragraphs (2), (3), (4), (5) and (6) of this regulation shall have effect only by virtue of a proclamation made, in the event of war or other emergency, by the Governor, directing that the said provisions shall come into operations; and when such a proclamation is made the said provisions shall come into operation on such date as may be specified in the proclamation, shall continue in operation until a further proclamation directing that they shall cease to have effect is made by the Governor, and shall then cease to have effect except in respect of things previously done or omitted to have been done.

Employment
of the Unit
as a military
force.

(2) The Unit, or any part thereof specified in any proclamation as aforesaid, shall be a military force liable to be employed on military duties in the defence of British Guiana, and members of the Unit to whom the proclamation applies shall hold, in addition to their ranks under these Regulations, such military ranks as may be determined by rules made by the Governor,

(3) The Governor may make rules (hereinafter referred to as “military service rules”) for the administration and discipline of the Unit or any part thereof serving as a military force, and generally for giving effect to the provisions of this regulation, and for those purposes the Governor may by such military service rules modify or amend the provisions of these Regulations (other than this regulation).

(4) Subject to the provisions of the military service rules, members of the Unit to whom the proclamation applies shall continue to be subject, except so far as they conflict, or are inconsistent, with any provisions of the Army Act for the time being applicable by virtue of paragraph (5) of this regulation, to the provisions of these Regulations.

(5) The provisions of the Army Act, 1955, and all Acts amending that Act with respect to discipline shall apply to a military force constituted under this regulation with the following modifications:—

(a) any reference to “Her Majesty” or “the Secretary of State” shall be construed as references to the Governor; and

(b) no sentence of a court-martial upon the trial of a member of the Unit shall be carried into execution unless confirmed by the Governor.

(6) Any person who shall volunteer for military service with the Unit under this regulation may be enrolled as a member of the Unit for that purpose with such military rank as may be determined by military service rules and, save as may be otherwise prescribed by such rules, shall not have any of the rights, powers or duties, or be subject to any of the liabilities, of a member of the Unit for any other purpose.

(7) When any member of the Unit is killed on actual military service, or dies from wounds or disease contracted on actual military service, provision may be made for his wife and family in accordance with rules made by the Governor and any sum of money required to meet such provision shall be expenditure in relation to the Unit such as is referred to in Section 4 of the Order.

PART III

OATH

12. (1) Every officer, inspector, subordinate officer and constable shall on his appointment to the Unit, take and subscribe the oath following, that is to say, —

I,, do swear that I will well and truly serve our Sovereign Lady the Queen, Her Heirs and Successors in the office of and in such other office in the Special Service Unit as I may at any time hereafter be appointed to, without favour or affection, malice

Oath of
office.

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 Special Service Unit I will obey all lawful orders of the Governor and the officers placed over me, subject myself to the British Guiana (Special Service Unit) Order 1964, all regulations made thereunder and all instruments made under such regulations and I will to the best of my skill and knowledge discharge all the duties of my office faithfully according to law.

So help me God.

(2) Such oath shall be taken and subscribed —

(a) by the Commanding Officer, before the Governor;

(b) by every other officer, before any other officer of higher rank in the Unit; and

(c) by every inspector, subordinate officer and constable, before any officer not below the rank of assistant superintendent.

PART IV.

RIGHTS, POWERS, ETC. OF MEMBERS OF UNIT.

13. Subject to the provisions of the Order and of these Regulations, every member of the Unit, so long as he continues to be a member thereof, shall have all such rights, powers, authorities, privileges and immunities and shall be liable to all such duties, responsibilities and penalties as any member of corresponding rank of the Police Force duly appointed now has or is subject or liable to, either by the common law or by virtue of any law which now is or may hereafter be in force in British Guiana.

Rights,
powers, etc.,
of members
of the Unit.

14. Where, in any law, powers are conferred upon members of the Police Force of a certain rank and, by virtue of regulation 13, those powers are conferred upon members of the Unit of a corresponding rank, such powers may lawfully be exercised by members of the Unit of any higher rank.

General
powers of
members of
the Unit.

15. (1) It shall be lawful for any member of the Unit to arrest without a warrant —

Power to
arrest without
warrant.

(a) any person who commits in his view an offence punishable either upon indictment or upon summary conviction; or

(b) any person whom any other person charges with having committed a felony or misdemeanour; or

(c) any person whom any other person —

(i) suspects of having committed a felony or misdemeanour, or

(ii) charges with having committed an offence punishable on summary conviction, if such other person is willing to accompany the member of the Unit effecting the arrest to the police station and to enter into a recognisance to prosecute such charge; or

(d) any person whom such member of the Unit finds disturbing the public peace; or

(e) any person whom he has good cause to suspect of having committed or being about to commit any felony, misdemeanour or breach of the peace; or

(f) any person 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.

(2) Without prejudice to the powers conferred upon a member of the Unit by the immediately preceding paragraph, it shall be lawful for any member of the Unit, and for any person whom he shall call to his assistance, to arrest without warrant any person who within the view of any such member of the Unit shall offend in any manner against any law and whose name and address shall be unknown to such member of the Unit and cannot be ascertained by him.

Duty to assist members of the Unit.

16. Any member of the Unit may call on any person to assist him if, while acting in the execution of his duty, he is 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 shall, on summary conviction thereof, be liable to a fine not exceeding one hundred dollars or to imprisonment for a term not exceeding three months.

Power to stop search or detain aircraft, vessels, vehicles or persons.

17. Any member of the Unit may stop, search and detain any aircraft, vessel or vehicle in or upon which there shall be reason to suspect that anything stolen or unlawfully obtained, or that any person suspected of having committed any indictable offence, may be found; and he may also stop, search and detain any person who may be reasonably suspected of having or conveying in any manner anything stolen or unlawfully obtained.

Powers of members of the Unit in command of Special Service boats.

18. It shall be lawful for any member of the Unit in command of any Special Service boat to enter, with one or more of the men employed on such boat, on board any vessel in any bay, roadstead or river and to remain on board such vessel for such reasonable time as he may deem expedient, and, if he has reasonable ground to suspect that there is on board any such vessel any property stolen or unlawfully obtained or any article prohibited to be imported or exported, it shall be lawful for him to search with any assistance any and every part of such vessel, and, after demand and refusal of the keys, to break open any receptacle, and, upon discovery of any property which he may reasonably suspect to have been stolen or unlawfully obtained or any article prohibited to be imported or exported, to take such property or article and the person in whose possession the same is found

before any magistrate to be dealt with according to law; and it shall be lawful for any such member of the Unit to pursue and detain any person in the act of conveying any such property or article away from any such vessel, whether he has landed or not, together with any property or article so conveyed away or found in his possession.

19. Every officer of the Unit shall, within the limits of the place in which he exercises authority in matters relating to the Unit, have such powers of control and command of the rural constabulary as may be directed by the Commanding Officer with the approval of the Commissioner of Police.

Powers of officers of Unit over rural constabulary.

20. When a person is arrested without a warrant he shall be taken before a magistrate as soon as practicable after he is taken into custody:

Bail of person arrested without a warrant.

Provided that any member of the Unit for the time being in charge of a police station may enquire into the case and —

(a) except where the case appears to such member of the Unit to be of a serious nature, may release such person upon his entering into recognisance, with or without sureties, for a reasonable amount to appear before a magistrate at the time, date and place mentioned in the recognisance; or

(b) if it appears to such member of the Unit that such enquiry cannot be completed forthwith, he may release such person on his entering into a recognisance, with or without sureties for a reasonable amount, to appear at such police station and at such times as are mentioned in the recognisance, unless he previously receives notice in writing from the officer in charge of that police station that his attendance is not required and any such bond may be enforced as if it were a recognisance conditional for the appearance of the said person before the magistrate.

21. (1) Any warrant lawfully issued to a member of the Unit for apprehending a person charged with any offence may be executed by any member of the Unit 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.

Arrest of person on a warrant.

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

22. When any writ, warrant, order or summons 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, inspector or subordinate officer of the Unit under whose immediate command he then is, and the officer, inspector or subordinate officer shall, if necessary, nominate and appoint by indorsement thereon, any assistant or

Indorsement of process.

assistants to him, the officer, inspector or subordinate officer thinks proper, to execute the writ, warrant, order, or summons; and every constable or other constable whose name is so indorsed, and every assistant aforesaid, shall have all the same rights, powers and authorities for and in the execution of the writ, warrant, order, or summons as if it had been originally directed to him expressly by name.

Service of process.

23. Any summons lawfully issued by a court may be served by any member of the Unit at any time between the hours of five o'clock in the morning and eight o'clock in the evening.

Action against member of the Unit acting in obedience to a warrant.

24. (1) When any action is brought against any member of the Unit 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 warrant was signed and that the signature purports to be that 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 Unit and he shall recover the full costs of the suit as between solicitor and client.

Power to take measurements, photographs, and fingerprints.

25. (1) It shall be lawful for any member of the Unit to take and record for the purpose of identification any measurements, photographs and fingerprint impressions of all persons who may from time to time be in lawful custody:

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

(2) Any person who shall refuse to submit to the taking and recording of his measurements, photograph or fingerprint 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 member of the Unit to take the measurements, photograph and fingerprint impressions of such person.

(3) For the purposes of this regulation 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 or offence within the meaning of section 2 of the Prevention of Crimes Ordinance.

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Road barriers.

26. (1) Notwithstanding the provisions of any other law, any officer, inspector or subordinate officer may, if he considers it necessary so to do for the maintenance and preservation of law and order or for the prevention or detection of crime, erect or place, or cause to

be erected or placed, barriers in or across any road or street or in any public place within British Guiana in such manner as he may think fit.

(2) Any member of the Unit may take all reasonable steps to prevent any vehicle being driven past such barrier and any driver of any vehicle who fails to comply with any reasonable signal of a member of the Unit in uniform, requiring such person to stop such vehicle before reaching any such barrier, shall be guilty of an offence and shall, on summary conviction thereof, be liable to a fine not exceeding five hundred dollars or to imprisonment for a term not exceeding twelve months or to both such fine and imprisonment.

(3) No member of the Unit shall be liable for any loss or damage resulting to any such vehicle or for any injury to the driver or any other occupant of such vehicle as a result of the driver of such vehicle failing to obey any member of the Unit acting under the provisions of paragraph (2) of this regulation.

PART V

PROVISION OF BUILDINGS

27. The Governor may assign for the use of the Unit such buildings and premises as may respectively be provided or available for that purpose and may make any further provision necessary for the accommodation of members of the Unit. Provision of buildings for the Unit.

PART VI

CONDITIONS OF SERVICE OF SUBORDINATE OFFICERS AND CONSTABLES APPOINTED BY THE COMMANDING OFFICER.

28. (1) Subject to the provisions hereinafter contained, a person joining the Unit as a constable shall be on probation for a period of two years; at the expiration of that period a probationer if efficient, of good character and qualified as hereinafter stated for further service, shall be confirmed in his appointment in the Unit. Constable on joining to be on probation.

(2) During the probationary period specified in paragraph (1) of this regulation the services of any constable may be dispensed with at any time if the Commanding Officer considers that he is not fitted, physically or mentally, to perform the duties of his office or that he is not likely to become an efficient or well conducted constable.

(3) A constable whose services are dispensed with under this regulation shall be entitled to receive one month's notice of the termination of his services or one month's pay in lieu of such notice.

(4) If any candidate for appointment to the Unit knowingly and wilfully makes, in connection with his application for appointment, any false statement, he shall be guilty of an offence and shall be liable on

summary conviction thereof, to a fine not exceeding one hundred dollars or to imprisonment for a term not exceeding three months.

Engaging in
trade or
business.

29. (1) A member of the Unit may be discharged by the Commanding Officer at any time, if, without the consent of the Commanding Officer —

(a) he carries on any business or trade or holds any other office or employment for hire or gain;

(b) he resides at any premises where any member of his family keeps a shop or carries on any like business;

(c) he holds, or any member of his family living with him holds, any licence granted in pursuance of the liquor licensing laws or the laws regulating places of public entertainment, or he has any pecuniary interest in any shop or business carried on by virtue of such licence; or

(d) his wife, not being separated or divorced from him, keeps a shop or carries on any like business in British Guiana.

(2) For the purpose of this regulation, the expression "member of his family" shall include a parent, son or daughter, brother or sister, husband or wife.

Provision of
hospital
accommoda-
tion and
treatment.

30. (1) The Governor may provide hospital accommodation, medical and dental treatment and, subject to rules, the issue of spectacles and essential dentures for the members of the Unit, at such places as he may think fit, and may cause medicine, food, attendance and other necessaries to be supplied to sick members of the Unit 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 of the Unit according to their rank as he may think fit:

Provided that no such deduction shall be made from the salary or pay of a member of the Unit while under treatment on account of any injury received or illness suffered by him in the performance of his duty.

(2) If any member of the Unit is incapacitated for duty by his own misconduct, the Commanding Officer 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.

PART VII

WITHDRAWAL FROM THE UNIT.

Withdrawal
from the
Unit.

31. (1) Subject to the provisions of paragraph (2) of this regulation, an inspector, subordinate officer or constable may withdraw from the Unit on giving to the Commanding Officer at least six months' notice in writing of his intention to do so:

Provided that an inspector, with the prior consent of the Governor in writing, and a subordinate officer or constable, with the prior consent of the Commanding Officer also in writing, may withdraw from the unit without giving such notice.

(2) No inspector, subordinate officer or constable may withdraw from the Unit during any period which may be certified by the Governor for the purpose of this paragraph, to be a period of hostilities, apprehended hostilities, internal disorder or other grave emergency.

32. (1) The Commanding Officer may at any time discharge any subordinate officer or constable from the Unit on the ground that, having regard to the conditions of the Unit, the usefulness of the subordinate officer or constable thereto and any other relevant circumstances, such discharge is desirable in the public interest: Discharge.

Provided that any subordinate officer or constable discharged under the provisions of regulation 29 of these Regulations or of this regulation may be granted a pension, gratuity or other allowance which has accrued to him by virtue of any ordinance relating to pensions then in force save that the amount so awarded shall not exceed the amount for which a public officer would be eligible if he retires from the public service in the circumstances described in paragraph (d) of section 8 of the Pensions (Consolidation) Ordinance, 1957. (No. 38 of 1957)

(2) Where any person is discharged from the Unit in pursuance of the provisions of regulation 29 of these Regulations or paragraph (1) of this regulation, he may, within a period of fourteen days from the date of his discharge, appeal to the Governor against such discharge, in a manner prescribed by rules.

(3) Where the Governor allows an appeal, the subordinate officer or constable shall be re-instated in the Unit, and shall for all purposes be regarded as if he had not been discharged from the Unit.

33. Except with the approval of the Governor the services of any inspector, subordinate officer or constable shall not extend beyond the age of fifty-five years. Retiring age.

34. Any member of the Unit whose period of service expires during the occurrence or apprehended occurrence of hostilities, internal disorder, or other grave emergency of any kind, may be retained and his service prolonged for such further period not exceeding twelve months as the Governor may direct. Prolongation of service in certain cases.

35. (1) Every inspector, subordinate officer or constable who — Illegal withdrawal from the Unit.

(a) withdraws himself from the Unit without giving such notice or receiving such consent as is required under the provisions of regulation 31 of these Regulations; or

(b) absents himself from duty for a period of twenty-four hours or more without permission or without lawful excuse,

shall be deemed illegally to have withdrawn from the Unit and shall be guilty of an offence and shall, on summary conviction thereof, be liable to a fine not exceeding two hundred and fifty dollars or to imprisonment for a term not exceeding three months.

(2) It shall be sufficient in any charge or complaint for an offence under this regulation to state that the person proceeded against did illegally withdraw himself from the Unit, and the onus of proving that any withdrawal was with permission, or any absence from duty for twenty-four hours or more was with permission or lawful excuse, shall be on the person proceeded against.

Warrant to apprehend inspector, subordinate officer or constable illegally withdrawing from the Unit.

30. On a complaint being made on oath to a magistrate by an officer that an inspector, a subordinate officer or constable has illegally withdrawn from the Unit and that there is reasonable cause to suspect that the inspector, subordinate officer or constable is concealed on any premises, or is aboard any aircraft or vessel within the limits of British Guiana, the magistrate shall grant to the officer a warrant to search the premises on, or aircraft or vessel in which the inspector, subordinate 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.

Power to order arrest of inspector, subordinate officer or constable.

37. An officer may order the arrest of an inspector, subordinate officer or constable for any offence mentioned in regulation 35 of these Regulations, and that he be taken before a magistrate to be dealt with according to law.

Aiding in illegal withdrawal from the Unit.

38. Any person who —

(a) knowingly aids or abets any inspector, subordinate officer or constable illegally to withdraw from the Unit; or

(b) knowingly conceals any inspector, subordinate officer or constable who has illegally withdrawn from the Unit; or

(c) knowing that any inspector, subordinate officer or constable has illegally withdrawn from the Unit aids him to quit British Guiana,

shall be guilty of an offence and shall, on summary conviction thereof, be liable to a fine not exceeding one hundred dollars or to imprisonment for a term not exceeding three months.

PART VIII.

OFFENCES.

Punishment for serious offence.

39. (1) Any member of the Unit who

(a) begins, raises, abets, countenances or excites mutiny amongst any members of the Unit or the Police Force; or

(b) causes or joins in any sedition or disturbance whatsoever; or

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

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

(e) assaults a magistrate or any member of the Unit or the Police Force of a rank superior to his own rank; or

(f) draws or lifts or offers to draw or lift any weapon or offers any violence against any magistrate or any member of the Unit or the Police Force of a rank superior to his own rank,

shall be guilty of an offence and shall, on summary conviction thereof, be liable to a fine not exceeding one thousand dollars or to imprisonment for a term not exceeding twelve months.

(2) Any person who is convicted of an offence under paragraph (1) of this regulation shall **ipso facto** cease to be a member of the Unit and shall forfeit all pension rights.

40. Every inspector, subordinate officer or constable who—
- (a) refuses or neglects to serve or execute any warrant or process lawfully directed to be served or executed by him; 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 Unit,

Punishment for less serious offence by inspector, subordinate officer or constable.

shall be guilty of an offence and shall, on summary conviction thereof be liable to a fine not exceeding fifty dollars or to imprisonment for a term not exceeding two months.

41. Any inspector, subordinate officer or constable against whom any complaint or information of an offence punishable on summary conviction or of an indictable offence has been made may, until and pending his trial, be interdicted from duty at the discretion of the Commanding Officer and paid at such rate of pay, being not less than half pay, as the Commanding Officer may deem fit:

Interdiction and dismissal of inspector, subordinate officer or constable.

Provided that if the complaint or information is dismissed or the inspector, subordinate officer or constable is acquitted, the Commanding Officer shall direct the whole of the pay withheld under this regulation to be paid to the inspector, subordinate officer or constable as the case may be.

42. (1) Any person who, knowing that any inspector, subordinate officer or constable is on duty, harbours or entertains, or either directly or indirectly sells or gives any intoxicating liquor to the inspector, subordinate officer or constable or permits the inspector, subordinate officer or constable to abide or remain in his house (except in extreme urgency), shall be guilty of an offence and shall, on summary conviction thereof, be liable to a fine not exceeding one hundred dollars or to imprisonment for a term not exceeding three months.

Entertaining inspector, subordinate officer or constable on duty.

(2) If any person being a licensed distiller or the holder of a licence for the sale of intoxicating liquor or employed in connection with the business of such distiller or holder of such licence is convicted under this regulation, the proceedings and the evidence shall be forwarded to the Governor, and the said distiller or keeper or other person shall, in addition to any other penalty under this regulation be liable to have his licence forfeited or suspended by the Governor, irrespective of any penalty suffered under the conviction. Notice in the Gazette of such forfeiture or suspension shall be sufficient notice thereof for all purposes.

Causing disaffection etc. amongst members of the Unit.

43. Any person who causes, or attempts to cause or does any act calculated to cause disaffection amongst the members of the Unit, or induces or attempts to induce, or does any act calculated to induce, any member of the Unit to withhold his services or commit any breach of discipline, shall be guilty of an offence, and shall, on summary conviction thereof, be liable to a fine not exceeding two hundred and fifty dollars or to imprisonment for a term not exceeding six months or to both such fine and imprisonment, and in either case, if a member of the Unit, shall forfeit all pension rights and be disqualified from being a member of the Unit.

Surrender of articles on death.

44. (1) When any member of the Unit dies possessed of any article which has been supplied to him for the execution of his office but which he has not been expressly authorised to keep for his private benefit, his personal representative or heir, or the person in whose house he dies, shall within fourteen days after his death, deliver all those articles whatsoever to the person authorised by the Commanding Officer for that purpose.

(2) Any person who contravenes this regulation shall be guilty of an offence and shall, on summary conviction thereof, be liable to a fine not exceeding fifty dollars, or to imprisonment for a term not exceeding three months; and any justice of the peace may issue his warrant to search for and seize all such articles which are not so delivered, wherever the same may be found, and to arrest the person in whose possession the same are found.

Improper possession of articles supplied.

45. Every person who has in his possession any article whatsoever supplied at the public expense to any member of the Unit which that member of the Unit has not been expressly authorised to keep 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 member of the Unit, and shall on summary conviction thereof, be liable to a fine not exceeding fifty dollars or to imprisonment for a term not exceeding three months.

Personation of member of Unit.

46. Every person who puts on or assumes, either in whole or in part, the dress, name, designation, or description of any member of the Unit 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 on his own authority, shall be guilty of an offence and shall, on summary conviction thereof, be liable to a fine not exceeding one hundred dollars or to imprisonment for a term not exceeding three months.

Persons acquitted by court not punishable on same charge under Regulations and if convicted liability of member of Unit to dismissal or reduction in rank.

47. (1) No person who has been acquitted by a court of any crime or offence shall be tried on the same charge or suffer any punishment on account thereof under these Regulations.

(2) If any member of the Unit has been convicted of any criminal offence, in addition to any penalty awarded by the court, he shall be liable to dismissal from the Unit or a reduction in rank, but shall not otherwise be liable to be punished under these Regulations for the same offence.

PART IX

SPECIAL SERVICE UNIT FEDERATION

48. The provisions of sections 50 and 51 of the Police Ordinance 1957 (which relate to the Police Federation) shall *mutatis mutandis* apply in relation to the Unit as they apply in relation to the Police Force, and the said provisions shall have effect as if references therein to inspectors, subordinate officers and constables and to the Commissioner of Police were references to inspectors, subordinate officers and constables of the Unit and to the Commanding Officer of the Unit respectively and as if references therein to the Police Federation and to the Force were references to the Special Service Unit Federation and to the Unit respectively.

Application of sections 50 and 51 of Police Ordinance 1957.

PART X

PROHIBITED ASSOCIATIONS

49. For the purpose of this Part of these Regulations, a "prohibited association" means — Definitions.

(a) any trade union as defined by the Trades Unions Ordinance, whether the union is registered or incorporated or not; (Cap. 113)

(b) any league, organisation or body of persons, whether registered or not, which has for its objects, or one of its objects, the promotion of feelings of ill-will and hostility between different classes or races;

(c) any other organisation, society or club, any of the objects of which may be subversive of good discipline on the part of a member of the Unit and which the Commanding Officer shall, with the approval of the Governor, declare to be a prohibited association.

50. (1) It shall not be lawful for any member of the Unit to be or to become a member of any prohibited association. Members of the Unit not to join prohibited associations.

(2) If any member of the Unit becomes a member of a prohibited association, such member of the Unit, the association, and every officer of the association who is knowingly a party to the admission or enrolment of such member of the Unit shall be liable, on summary conviction, for each offence to a fine not exceeding one hundred dollars.

51. (1) It shall not be lawful for any prohibited association to permit any member of the Unit to receive any benefit, financial or otherwise, from the association, or for any such association to receive any money from a member of the Unit. Prohibition of member of the Unit receiving benefits from prohibited associations.

(2) If there shall be a contravention of the provisions of this regulation, the member of the Unit, the association and every officer of the association who is knowingly a party to such contravention, shall be liable, on summary conviction, for each offence to a fine not exceeding one hundred dollars.

PART XI. PENSIONS

52. The provisions of the Pensions (Consolidation) Ordinance, 1957, shall apply to the office of a member of the Unit as they apply to a pensionable office within the meaning of that Ordinance.

53. Subject to the provisions of these Regulations, pensions, gratuities and allowances shall be paid in respect of service in the Unit at the rate prescribed by, and in accordance with, the provisions of the Pensions (Consolidation) Ordinance, 1957, or any ordinance amending the same, or any ordinance relating to the award of pensions, gratuities and allowances to public officers for the time being in force.

54. For the purposes of this Part, 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 Unit.

55. (1) The Commanding Officer may, with the approval of the Governor, require any inspector, subordinate officer or constable who has attained the age of fifty years to retire from the Unit.

(2) Subject to the approval of the Governor, any inspector, subordinate officer or constable who has attained the age of fifty years may, at his own request, retire from this Unit.

56. (1) It shall be lawful for the Governor to second or temporarily transfer an inspector, subordinate officer or constable for duty (not being duty as a member of the Unit) in the service of British Guiana or for duty in the service of another Colony.

(2) When an inspector, subordinate officer or constable is seconded or temporarily transferred under the immediately preceding paragraph, and he is seconded or temporarily transferred for duty in an office or employment which would not entitle him to pension under these Regulations, the period during which he shall serve in such office or employment as aforesaid shall count for pension as if the inspector, subordinate officer or constable had not been seconded or temporarily transferred.

PART XII.

MISCELLANEOUS PROVISIONS

57. The Unit shall be armed, clothed and equipped at the public expense.

58. (1) No person may, without the consent in writing of an inspector, subordinate officer or constable, and then only with the approval of the Commanding Officer, deduct from the pay or allowances of an inspector, subordinate officer or constable any amount on account of any order, charge or incumbrance given, made or created by the inspector, subordinate officer or constable on his pay or allowance except for reasonable and **bona fide** charges for not more than three months' arrears of house or land rent due by the inspector, subordinate officer or constable.

Application of Pensions (Consolidation) Ordinance (No. 38 of 1957).

Award of pensions.

(No. 38 of 1957)

Leave of absence on military duty.

Retirement.

Preservation of pension rights on secondment or temporary transfer.

Arms, clothing and equipment.

Protection of inspectors, subordinate officers and constables from civil process for debt.

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

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

(4) No inspector, subordinate officer or constable shall be liable to imprisonment 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 regulation relating to the stoppage of pay shall not be construed to apply to any penalties or stoppages incurred by an inspector, subordinate officer or constable under these Regulations or under any of the rules or Unit orders made under these Regulations.

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

Liability of inspector, subordinate officer or constable for maintenance of wife and children.

(2) If an inspector, subordinate officer or constable fails to contribute a sufficient amount for the maintenance of his wife and children, the Commanding Officer may deduct such an amount from his pay, not exceeding one-third thereof, as may appear to him to be necessary, and may apply that amount towards the maintenance of such wife and children as aforesaid in any manner the Commanding Officer thinks fit.

60. The funeral expenses of any member of the Unit dying whilst in the Unit shall be defrayed by the Commanding Officer from any moneys provided for that purpose by the Governor under section 4 of the Order.

Funeral expenses of a member of the Unit dying while serving.

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

Prosecution and procedure.

62. Where a member of the Unit lays an information or makes a complaint against anyone, any officer, inspector or subordinate 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 adjoined in the matter as the member of the Unit who laid the information or made the complaint would have had.

Right of officer, inspector, subordinate officer to prosecute police cases.

Grant of
special
award.

63. If on the trial of any criminal cause in the Supreme Court, the judge before whom the cause is tried is of the opinion that any member of the Unit 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 member of the Unit; and the reward shall be paid, on the certificate of the judge, out of moneys provided for that purpose by the Governor under section 4 of the Order.

Sale of
unclaimed
articles
in the hands
of the Unit.

64. (1) All articles coming into the possession of any member of the Unit as unclaimed property or property found and remaining unclaimed for the period of three months may be publicly sold at auction, after due advertisement hereof for fourteen days, or may otherwise be dealt with in accordance with directions given by the Commanding Officer:

Provided that —

(a) an animal whose value does not exceed twenty 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 sold before they become unfit; if they are unfit for use they may be destroyed.

(2) The proceeds of all sales aforesaid shall be paid into the Treasury for and on behalf of British Guiana.

Power to
make orders
with respect
to property
in possession
of Unit.

65. Where any property has come into the possession of the Unit in connection with any criminal charge or as the result of any search carried out by a member of the Unit, a court of summary jurisdiction may, on the application either by an officer or by a claimant of the property, make an order for the delivery of the property to the person appearing to the court to be the owner thereof, or, if the owner cannot be ascertained, make such order with respect to the property as to the court may seem meet.

Fine fund.

66. All fines inflicted upon any inspector, subordinate officer or constable under these Regulations or under any rules of any kind made thereunder, shall be deducted from his salary and be paid by the Commanding Officer to the credit of a fine fund from which special awards to inspectors, subordinate officers and constables, the cost of upkeep of recreation rooms, of sporting outfits, and of providing amusements, may be paid as provided for in rules.

PART XIII.

RULES

Rules.

67. The Commanding Officer may from time to time, with the approval of the Governor, make rules with regard to all or any of the following matters, that is to say —

(a) the description and issue of arms, ammunition, accoutrements, uniforms, dentures, spectacles and necessaries to be supplied to members of the Unit;

(b) the promotion and demotion of inspectors, subordinate officers and constables from one rank to another;

(c) offences against discipline, disciplinary procedure and penalties;

(d) the interdiction, suspension and dismissal of inspectors, subordinate officers and constables;

(e) the procedure for appeal against discharge from the unit of a subordinate officer or constable;

(f) the duties to be performed by all persons appointed under these Regulations;

(g) the qualifications of persons seeking appointment to any part of the Unit, the form and method of their appointment, their general government with respect to their classification and rank, their training, the services required of them and their conduct in the performance thereof;

(h) the distribution of personnel throughout British Guiana and the requiring of any officer, inspector, subordinate officer or constable to reside in the quarters provided for him and the conditions under which he shall reside;

(i) the management and good administration of any Unit depot, quarters, stations, offices, hospitals, training school, rifle ranges and cells and of the persons confined therein;

(j) the establishment and the good management of any canteen, shop and recreation room for the benefit of the Unit;

(k) messing and accommodation of members of the Unit;

(l) the taking of measurements, photographs and fingerprint impressions of persons in lawful custody;

(m) leave and weekly rest days; and

(n) generally for the good order and government of the Unit.

68. The Commanding Officer may from time to time make such standing and other Unit orders as he may think necessary for the management of the Unit generally: Unit Orders.

Provided that such orders shall not be inconsistent with these regulations or with any rules.

PART XIV

GENERAL

69. All members of the Unit shall, in respect of any matter not provided for in these Regulations or in rules or Unit orders, be subject to the provisions of Colonial Regulations and General Orders as are from time to time in force. Application of Colonial Regulations and General Orders.

70. The powers of the Governor under these Regulations shall be exercised by him in his discretion. Governor's powers.

Made this 1st day of October, 1964.

RICHARD E. LUYT,
Governor.