
First Session Twelfth Parliament Republic of
Trinidad and Tobago



REPUBLIC OF TRINIDAD AND TOBAGO

Act No. 11 of 2021

[L.S.]

AN ACT to amend the Special Reserve Police Act, Chap. 15:03 and the Police Complaints Authority Act, Chap. 15:05 to strengthen the operations of the Police Complaints Authority and its relationship with the Special Reserve Police and matters related thereto

[Assented to 19th July, 2021]

ENACTED by the Parliament of Trinidad and Tobago as Enactment follows:

1. This Act may be cited as the Short title Miscellaneous Provisions (Special Reserve Police and Police Complaints Authority) Act, 2021.

Commencement

1A. This Act comes into operation on such date as is fixed by the President by Proclamation.

Chap. 15:03
amended

2. The Special Reserve Police Act is amended by inserting after section 22, the following new section—

“Regulation 136 and 150(2) of Police Service Regulations to apply to Special Reserve Police
23. Regulations 136 and 150(2) of the Police Service Regulations, made under section 78 of the Police Service Act, are deemed to be applicable to a member of the Special Reserve Police and shall apply *mutatis mutandis* until such time as Regulations are made under section 22.”.

Chap. 15:01

Chap. 15:05
amended

3. The Police Complaints Authority Act is amended—

(a) in section 4—

(i) by inserting in the appropriate alphabetical sequence, the following new definition:

““Assistant Commissioner” means the Director or Assistant Commissioner of Municipal Police;”;

(ii) in the definition of “police officer”, in paragraph (b), by deleting the word “Force” and substituting the word “Service”; and

(iii) by deleting the definition of “serious police misconduct” and substituting the following definition:

“ “serious police misconduct” means—

(a) in respect of a member of the Police Service or the Municipal Police

Service, the commission of a disciplinary offence under the Police Service Regulations or the Municipal Police Service Regulations, as the case may be; or
(b) in respect of a member of the Special Reserve Police, the commission of a disciplinary offence under regulations 136 or 150(2) of the Police Service Regulations, which the Authority considers to be so serious as to bring the Police Service, the Municipal Police Service or the Special Reserve Police into disrepute; and”;

(b) in section 7, by deleting the word “appointed” in the second place in which it occurs and substituting the word “selected”;

(c) by inserting after section 13, the following new section:

13A. Where the Director or Deputy Director dies, resigns, is removed from or otherwise
“Authority deemed to be constituted with one member”

vacates his office prior to the expiry of the term for which he has been appointed, the Authority is deemed to be properly constituted with the remaining member for a period not exceeding three months from the date immediately following the death, resignation or revocation of appointment of the Director or Deputy Director.”;

(d) in section 21(1), in—

- (i) paragraph (d), by inserting after the words “Police Service” the words “, the Special Reserve Police, the Municipal Police Service”;
- (ii) paragraph (e), by inserting after the words “Police Service” the words “, the Special Reserve Police or the Municipal Police Service”;
- (iii) paragraph (f), by inserting after the word “Commissioner” the words “, the Assistant Commissioner”;

(e) in section 26 by—

- (i) inserting after the words “a public body or authority,” the words “the Commission,”; and
- (ii) inserting after the words “Police Service”, the words “, the Special Reserve Police or the Municipal Police Service”;

(f) in section 30(1), by—

- (i) deleting the words “the Act” and substituting the words “this Act”; and

(ii) inserting after the word “Commissioner” the words “, Assistant Commissioner”;

(g) by inserting after section 44, the following new section:

“Authority to be provided with written statement or update

44A. (1) The Commissioner, Assistant Commissioner, Director of Public Prosecutions or the Commission shall, within three months from the date the Authority makes a recommendation under section 44(2), provide the Authority with a written—

(a) statement, with reasons, on any action which has been taken or is proposed to be taken or not taken, in respect of a recommendation; or

(b) update on the progress of a matter which is the subject of a recommendation.

(2) Where the Authority has not received a written statement or written update in accordance with subsection (1)—

(a) the Authority may make such further requests for the information as may be necessary; and

(b) the Commissioner,
Assistant
Commissioner,
Director of Public
Prosecutions or the
Commission shall,
without delay,
provide the required
information.

(3) Where the Authority
has received a written
statement or written update in
accordance with subsection (1)
and requires further information
in respect of a matter—

(a) the Authority may
make such further
requests for
information as may
be necessary; and

(b) the Commissioner,
Assistant
Commissioner,
Director of Public
Prosecutions or the
Commission shall,
without delay,
provide the required
information.”; and

(h) in section 48, in—

(i) subsection (1), by deleting the
words “and the Commissioner”
and substituting the words “,
the Commissioner or the
Assistant Commissioner”; and

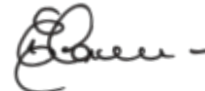
- (ii) subsection (2), by deleting the words “or the Commissioner” wherever they occur and substituting in each place, the words “, the Commissioner or the Assistant Commissioner”.

Passed in the House of Representatives this 5th day of March, 2021.



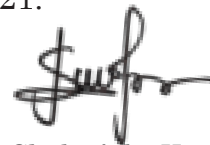
Clerk of the House

Passed in the Senate this 7th day of July, 2021.



Clerk of the Senate

Senate amendments were agreed to by the House of Representatives this 9th day of July, 2021.



Clerk of the House