THE POLICE SERVICE BILL, 2006

Arrangement of Clauses

Clause

PART I
PRELIMINARY

1. Short title
2. Commencement
3. Interpretation

PART II

ESTABLISHMENT AND STRUCTURE OF THE POLICE SERVICE

4. Establishment of the Police Service
5. President authorised to issue arms to the Police Service
6. Classification of offices
7. Divisions of the Police Service
8. Remuneration Order
9. Increment

PART III

APPOINTMENT OF TRAINEE

10. Application to be trainee
11. Qualification for trainee
12. Appointment and control of trainee
13. Dismissal of trainee
14. Regulations for trainee
15. Successful trainee

PART IV

APPOINTMENT AND PROMOTION OF POLICE OFFICERS

16. Appointment on promotion to First and Second Division
17. Assessment Centre and Promotion Advisory Board
18. Functions of the Centre and Board
19. Procedure of Centre and Board
20. Criteria for promotion
21. Appointment or promotion on probation
22. Contract officers

PART V – DISCIPLINE

23. Disciplinary powers

PART VI

DUTIES OF THE PERSONNEL DEPARTMENT
IN RELATION TO THE POLICE SERVICE

24. Powers and duties
25. Consultation with appropriate recognised association
26. Where no agreement reached after consultation
27. Submission of proposals to appropriate recognised association for approval
28. Agreement to be recorded and signed
29. Personnel Department subject to Minister of Finance under this Part
30. Dispute to be referred to Special Tribunal
31. Special Tribunal power of award
32. Award to be binding on parties for fixed period

PART VII

POLICE SERVICE ASSOCIATIONS

33. Prohibition against membership of trade union
34. Representation of police officers
35. Regulations governing recognition

36. Appropriate recognised association to make rules
37. Complaints by members of appropriate recognised association
38. Recognised police associations

PART VIII

GENERAL FUNCTIONS AND OBLIGATIONS OF MEMBERS OF THE POLICE SERVICE

39. Police officer voting
40. Police officer and political activities
41. Public statements by police officer on certain matters
42. Certain police officers to be Justices
43. Every police officer to be a constable
44. General power of police officer
45. General duties of police officer
46. Power to arrest without a warrant
47. Power to arrest without having warrant in possession
48. Execution of warrant or order
49. Action against police officer for acting on warrant or order
50. Power to take measurement, photograph and finger print
51. Certificate of character
52. Analysis of fingerprint impression
53. Punishment for serious offence
54. Public property not to be used privately
55. Delivery up of article supplied on leaving the Police Service
56. Improper possession of article supplied to police officer
57. Delivery up of article supplied to deceased police officer
58. Unclaimed article
59. Assault, etc., on police officer
60. Refusing to assist police officer assaulted
61. Harbouring police officer
62. Impersonation of police officer or wearing police uniform, etc.
63. Obtaining admission into the Police Service by fraud

64. Right to prosecute police cases
65. Award Fund
66. Awards Board
67. Granting of special award
68. Fines and bribes to be payable to the Fund
69. Account to be kept

PART IX

MISCELLANEOUS PROVISIONS

70. Sale of liquor in Canteens and Messes
71. Police Station to be lock-up
72. Police officer to take oath of office
73. Mode of leaving service
74. Age of retirement for police officer
75. Extension of service
76. Grant of one month’s salary to next of kin of deceased police officer
77. Payment of arrears of salary or pension without production of probate or letters of administration
78. Regulations
79. Savings
80. Repeal

FIRST SCHEDULE
SECOND SCHEDULE
THIRD SCHEDULE
FOURTH SCHEDULE
FIFTH SCHEDULE

THE POLICE SERVICE BILL, 2006

Explanatory Note

(These notes form no part of the Bill but are only intended to indicate its general purport)

The main purpose of this Bill is to provide the legal structure to ensure a modern Police Service by consolidating, amending and revising the law relating to the Police Service. The Bill will also provide for the classification of the Police Service, the appointment, promotion, transfer, dismissal and discipline of police officers, and generally provide for matters concerning the relationship between the State and the Police Service. The Bill also seeks to introduce new management structures of the Police Service in order to deal with modern realities. The Bill requires a simple majority vote and is divided into nine Parts.

Part I of the Bill provides for preliminary matters.

Clause 1 provides the short title of the Act, for which this is the Bill.

Clause 2 provides the commencement provision.

Clause 3 provides the interpretation provision.

Part II provides for the establishment and structure of the Trinidad and Tobago Police Service.

Clause 4 provides for the establishment of the Police Service.

Clause 5 provides the President with the power to issue arms to the Police Service.

Clause 6 provides for the classification of officers in the Police Service as set out in the Third Schedule.

Clause 7 provides that the Police Service shall consist of a First and Second Division as set out in the First and Second Schedules respectively.

Clause 8 provides the President with the power to deal with certain matters, such as remuneration, agreements or awards, governing the Police Service.

Clause 9 provides for increments to be paid annually.

Part III provide for the appointment of trainees.

Clause 10 provides that a person must comply with the prescribed form and manner when applying to be appointed as a trainee.

Clause 11 provides that a person must satisfy the prescribed requirements in order to be appointed as a trainee.

Clause 12 provides for the appointment and control of a trainee.

Clause 13 provides that a trainee who fails to complete the course of training shall be dismissed.

Clause 14 provides the Commissioner with power to make regulations for trainees.

Clause 15 provides that a successful trainee is eligible to be appointed as a constable.

Part IV provides for the promotion of police officers

Clause 16 provides that when officers are being promoted in the First and Second Divisions certain results or recommendations must be considered.

Clause 17 provides for the establishment of an Assessment Centre and a Promotion Advisory Board.

Clause 18 provides the functions of the Assessment Centre and the Board.

Clause 19 provides for certain procedural matters.

Clause 20 provides the criteria for promotion.

Clause 21 provides that every officer appointed or promoted in the Police Service must serve a probationary period.

Clause 22 provides for the appointment of police officers and civilian staff on contract.

PART V provides for disciplinary matters

Clause 23 provides for the exercise of disciplinary powers by the Commissioner.

PART VI provides for the duties of the Personnel Department in relation to the Police Service.

Clause 24 provides for the powers and duties imposed on the Personnel Department in relation to the Police Service under this Act.

Clause 25 provides that the Personnel Department must consult with the Police Association on the matters listed in clause 24.

Clause 26 provides that a dispute is deemed to exist when no agreement is reached after consultation under clause 25.

Clause 27 provides that, when there is no consultation, the Personnel Department must submit proposals to the Police Association for its approval.

Clause 28 provides that every agreement must be recorded and signed and is binding on the State and the relevant police officers.

Clause 29 provides that, under this Part, the Personnel Department is subject to the Minister of Finance.

Clause 30 provides that disputes must be referred to the Special Tribunal for settlement.

Clause 31 provides the Special Tribunal with the power to make an award on the dispute referred to it under clause 30.

Clause 32 provides that an award made by the Special Tribunal is binding on the parties for a specified period but is open to limited review.

PART VII provides for the establishment of Police Service Associations.

Clause 33 provides that no police officer shall be a member of a trade union.

Clause 34 provides that police officers may form associations to represent and promote their interests, but it cannot be registered as a trade union.

Clause 35 provides for the making of regulations to recognise Police Associations.

Clause 36 provides that a Police Association can make rules to govern its administration.

Clause 37 provides a mechanism to deal with complaints by members of a Police Association.

Clause 38 provides that upon commencement of this Act, the former Police Associations would be saved by this Act.

Part VIII provides for the general functions and obligations of members of the Police Service.

Clause 39 provides that police officers are entitled to vote at elections.

Clause 40 provides that police officers are disqualified for membership in certain political bodies.

Clause 41 provides that public statements by police officers are restricted to certain matters.

Clause 42 provides that certain police officers are to be Justices of the Peace.

Clause 43 provides that every police officer shall have all the powers and privileges of a constable under any written or unwritten law.

Clause 44 provides that the powers of a police officer can also be exercisable by a police officer of a higher grade.

Clause 45 provides the general duties of police officers.

Clause 46 provides the instances when a police officer may exercise the power to arrest without a warrant.

Clause 47 provides that a police officer may exercise the power to arrest without having the warrant in his possession.

Clause 48 provides for the execution of warrants.

Clause 49 provides that a police officer, acting in obedience to a warrant, is not liable for any irregularity in the issuing of it.

Clause 50 provides a police officer with the power to take measurements, photographs and finger print impressions for purposes of identification.

Clause 51 provides for an application for a certificate of character from the police.

Clause 52 provides that an applicant for the analysis of a finger print impression must pay the prescribed fee.

Clause 53 provides for the conviction of police officers for certain serious offences, such as mutiny or assaulting a Justice or superior officer.

Clause 54 provides that public property given to a police officer is not to be used privately.

Clause 55 provides that a police officer who leaves the Police Service must return the articles supplied to him and which he is not authorised to keep.

Clause 56 provides that any unaccountable possession by any person of articles supplied to a police officer is a summary offence.

Clause 57 provides that it is a summary offence for a person in possession of articles given to a police officer who dies for failing to return it to the State.

Clause 58 provides that a summary court has the power to order the delivery of unclaimed articles to its owner or the police.

Clause 59 provides that it is an offence to assault, obstruct, etc., a police officer in the execution of his duty.

Clause 60 provides that it is an offence to refuse to assist a police officer who is being assaulted or resisted.

Clause 61 provides that it is an offence to sell or give intoxicating liquor to a police officer on duty, and the owner of licensed premises may lose his licence for so doing.

Clause 62 provides that it is a summary offence to impersonate a police officer.

Clause 63 provides that it is a summary offence for a person to obtain admission into the Police Service by fraud.

Clause 64 provides that any police officer has the right to prosecute a police case before a summary court.

Clause 65 provides for the continuance of the Award Fund, which was established under the former Act.

Clause 66 provides for the continuation of the Awards Board, which was established under the former Act.

Clause 67 provides that a Judge or Magistrate in a criminal matter may grant an award, not exceeding $500.00, to a police officer for outstanding service in relation to that matter.

Clause 68 provides that all fines, gifts of money or bribes shall be paid to the Award Fund.

Clause 69 provides that the Commissioner shall keep an account of all moneys paid into and disbursed from the Award Fund.

Part IX provides for miscellaneous matters.

Clause 70 provides that intoxicating liquor may be sold in a police canteen or Mess without a liquor licence.

Clause 71 provides that every police station must have a place of confinement to temporarily hold a person charged with an offence.

Clause 72 provides that every police officer must on appointment take an oath of office and secrecy.

Clause 73 provides that the modes by which a police officer may leave the Police Service shall be prescribed.

Clause 74 provides for the age of retirement for police officers.

Clause 75 provides for the extension of service beyond the prescribed age of retirement for officers in the First and Second Divisions.

Clause 76 provides that the next of kin of a deceased police officer may be granted one month of his salary by the Minister.

Clause 77 provides that where salary or pension is owing to a deceased police officer the Minister may make payment to any person entitled to it without proof of a grant of probate or letters of administration.

Clause 78 provides the President with power to make regulations for the Police Service.

Clause 79 provides a savings provision.

Clause 80 provides that the Police Service Act, Ch. 15:01 is repealed.

BILL

An Act to consolidate, amend and revise the law relating to the Police Service, to ensure efficient and transparent management of the Service and to provide that the principles of equity and meritocracy shall be applied at all times and for other related matters.

[, 2006]

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

PART I - PRELIMINARY

Short title

1. This Act may be cited as the Police Service Act, 2006.

Commencement

2. This Act shall come into operation on such date as the President may appoint by Proclamation.

Interpretation

3. In this Act –

"allowance" means compensation payable –

(a) in respect of a grade or in respect of some office in a grade, by reason of duties of a special nature;

(b) for duties that a police officer is required to perform in addition to the duties of his grade where those duties relate to an office in the same grade or a higher grade;

(c) for contingencies associated with the performance of his functions as a police officer and not taken into consideration in fixing his pay;

"appropriate recognised association" means an association recognised by the Minister of Finance under section 34 as the bargaining body for any rank of police officers;

Board" means the Promotion Advisory Board established under section 17(2);

"classification" means the assignment of an office to a grade;

“cohabitant” means-

(a) in relation to a man, a woman who has been living with or has lived together with him in a *bona fide* domestic relationship for a period of not less than five years immediately preceding the date of his death;

(b) in relation to a woman, a man who has been living with or has lived together with her in a *bona fide* domestic relationship for a period of not less than five years immediately preceding the date of her death,

but only one such relationship shall be taken into account for the purpose of this Act;

"Commission" means the Police Service Commission established under section 122(1) of the Constitution;

"Commissioner" or "Deputy Commissioner" means respectively the person appointed to the office of the Commissioner of Police or Deputy Commissioner of Police in accordance with section 123(1)(a) of the Constitution;

"dispute" means any matter in respect of police officers upon which agreement has not been reached between the Personnel Department and the appropriate police association and which has been reported to the Minister under section 26 or 27;

Chap. 15: 01

“former Act” means the Police Service Act repealed by this Act;

"grade" includes a range given in the classification of offices set out in the Third Schedule;

“intoxicating liquor” means spirits, wine or beer, or any liquor being a mixture, beverage or preparation containing the same;

“judicial officer” means a Judge , Magistrate or Justice;

“Minister” means the Minister to whom responsibility for national security is assigned;

"office" means an office in the Police Service assigned to a grade;

"pay" means the rate of pay assigned to an office in a grade by a

Remuneration Order, but does not include the allowances;

"pensionable emoluments", in respect of the Police Service, means pay and personal allowance;

"Personnel Department" means the Personnel Department established under the Civil Service Act;

Ch. 23:01

"police officer" means a person who is appointed to perform the duties of an office in the Police Service;

"Police Service" means the Trinidad and Tobago Police Service established by section 4;

"prescribed" means as prescribed in the regulations;

"regulations" means the regulations made under this Act;

"remuneration" means pay and allowances;

"Special Tribunal" means the Special Tribunal established by section 21(1) of the Civil Service Act;

"spouse" includes a cohabitant;

"trainee" means a person who is undergoing initial training with a view to becoming a police officer.

PART II

ESTABLISHMENT AND STRUCTURE OF THE POLICE SERVICE

Establishment of the Police Service
Third Schedule

4.(1) The Trinidad and Tobago Police Service is hereby established constituting the public offices as set out in the Third Schedule.

(2) Every person who immediately before the commencement of this Act held or was acting in an office in the Police Service constituted under the former Act shall, as from the commencement of this Act, continue to hold or act in the like office in the Police Service constituted under subsection (1), by whatever title called.

(3) A reference to the Police Service or to any member thereof in any written law in force immediately before the commencement of this Act shall, as from the commencement of this Act, be read and construed as a reference to the Police Service constituted by this Act or to a member thereof.

President authorised to issue arms to the Police Service

5. The President may issue arms and ammunition to the Police Service and any member thereof may carry and use the same for lawful purposes.

Classification of offices
Third Schedule

6.(1) The President may, by Order, amend the classification of offices set out in the Third Schedule.

(2) The classification of offices set out in the Third Schedule shall be the basis for any classification Order made under this section.

(3) The classification of offices set out in the Third Schedule shall be observed in all records and communications of the Commission, Commissioner, Auditor General, Treasury and in all departmental estimates and parliamentary returns and appropriations.

Divisions of the Police Service

7.(1) The Police Service shall consist of two Divisions, that is to say –

(a) the First Division; and

(b) the Second Division.

(2) The First Division shall be the offices specified in the First Schedule and include such other offices as the President may, by Order, determine.

First Schedule

(3) The Second Division shall be the offices specified in the Second Schedule and include such other offices as the President may, by Order, determine.

Second Schedule

Remuneration Order

8.(1) The President may, by Order-

(a) determine the pay in respect of an office in a grade;

(b) establish the allowances that may be paid in addition to pay;

(c) give effect to any agreement entered into between the Chief Personnel Officer on behalf of the Minister of Finance and the appropriate recognised association ; and

(d) give effect to an award made by the Special Tribunal.

(2) An Order made in respect of matters specified in subsection (1) (a) and (b) shall be referred to as a Remuneration Order.

Increment

9. Except where the contrary is provided in a Remuneration Order, increases of pay that may be granted in respect of an office in a grade in accordance with the Remuneration Order shall be annual, but no increase of pay shall be made in respect of an office in a grade in which the police officer performing the duties of the office has not completed a period of twelve months continuous duty in that office.

PART III - APPOINTMENT OF TRAINEES

Application to be trainee

10. A person seeking to be a trainee may apply to the Commissioner in the form and manner prescribed.

Qualification for trainee

11. A person making an application under section 10 shall satisfy the requirements prescribed.

Appointment and control of trainee

12.(1) The Commissioner may appoint as a trainee a person applying under section 10, who satisfies the requirements prescribed.

(2) Subject to the regulations, a trainee shall be under the control of the Commissioner.

(3) Without prejudice to subsection (2), for the purpose of any law relating to the functions or vicarious liability of an employer, the Commissioner shall be treated as the employer of any trainee undergoing training with the Police Service.

Chap. 88:01

(4) A trainee is not a worker as defined in the Industrial Relations Act.

Dismissal of trainee

13. Where a trainee fails to complete successfully a course of training approved by the Commissioner or for any reason is otherwise

considered unfit to be a member of the Police Service, the Commissioner may summarily terminate his status as a trainee.

Regulations for trainee

14. The Commissioner may make regulations as to the management and conditions of service of a trainee.

Successful trainee

15. A trainee who successfully completes the approved course of training is eligible to be appointed as a constable on probation for the period prescribed.

PART IV
APPOINTMENT AND PROMOTION OF POLICE OFFICERS

Appointment on promotion to First and Second Division

16. In the exercise of the powers vested in him by section 123A (2) (a) of the Constitution, the Commissioner shall take into account -

(a) in the case of promotion to and within the First Division, the results of the Assessment Centre; or

(b) in the case of promotion in the Second Division, the recommendations of the Promotion Advisory Board,

when he makes an appointment on promotion.

Assessment Centre and Promotion Advisory Board

17. (1) There is established an Assessment Centre, the members of which shall be prescribed.

(2) There is established a Promotion Advisory Board which shall comprise five members as follows:

(a) the Deputy Commissioner of Police with responsibility for Administration;

(b) the Assistant Commissioner of Police;

(c) the Human Resources Director of the Police Service;

(d) a senior officer, who is not a police officer, from the Ministry of National Security, selected by the Minister;

and

(e) an independent management consultant, appointed by the Commissioner.

(3) The Commissioner shall engage a person who is not a police officer as Secretary to the Board.

(4) The appropriate recognised association may nominate a representative to be present as an observer at sittings of the Board.

(5) The Board shall sit as often as it thinks necessary, but at least twice per year, to consider promotions and notice of each sitting shall be given in a timely manner to the representative referred to in subsection (4).

Functions of the Centre and Board

18.(1) The Assessment Centre shall conduct an assessment of the suitability for promotion of a police officer to the First Division from the rank of Assistant Superintendent through to Assistant Commissioner and shall submit its results to the Commissioner in relation to his functions under section 123A (2) (a) of the Constitution.

(2) The Board shall make recommendations to the Commissioner in relation to his functions under section 123A (2) (a) of the Constitution.

(3) The Commissioner may discuss with the Assessment Centre any results submitted under subsection (1) or with the Board any recommendation made under subsection (2).

Procedure of Centre and Board

19. (1) For the purpose of assessing the suitability for promotion to the rank of Assistant Superintendent through to Assistant Commissioner, the Assessment Centre shall take into account the procedure prescribed.

(2) At the conclusion of each sitting of the Board, the Chairman shall submit to the Commissioner the Board's recommendations in the form of an Order of Merit List.

(3) The Secretary to the Board shall keep a record of the ratings given to every police officer who appears before the Board.

(4) A police officer is entitled to apply to the Board to be informed in writing of his ratings.

Criteria for promotion

20.(1) To be eligible for promotion to the rank of -

(a) Assistant Superintendent through to Assistant Commissioner a police officer shall be assessed by the Assessment Centre taking into account the criteria prescribed;

(b) Constable through to Inspector a police officer is required to pass a qualifying examination.

(2) In considering the suitability for promotion of a police officer of the rank of Constable to Inspector, the Board shall conduct an interview and take into account the criteria prescribed.

(3) In considering the suitability for promotion of a police officer of the rank of Constable to Inspector, the Commissioner shall take into account the criteria prescribed.

Appointment or promotion on probation

21.(1) A police officer on first appointment shall serve the prescribed period of probation.

(2) If at any time before the end of the probationary period of a constable, the Commissioner has reasonable grounds to believe that the interest of the Police Service will not be served by retaining the constable, the Commissioner may summarily dismiss him.

(3) A constable who successfully completes his period of probation and who satisfies all other prescribed requirements is eligible to be confirmed as a constable.

(4) A police officer who is promoted shall serve the prescribed period of probation.

Contract officers

22.(1) The Commission may, having regard to the qualifications, experience, skills and merit of a person who is not in the Service, appoint on contract such a person as a police officer to the rank of Commissioner or Deputy Commissioner for any specified period.

(2) The Commissioner may, having regard to the qualifications, experience, skills and merit of a person who is not in the Service, appoint on

contract such a person as a police officer for any specified period.

(3) The Commissioner may appoint on contract for any specified period and purpose a person who is not a police officer.

PART V - DISCIPLINE

Disciplinary powers

23. In the exercise of the powers vested in him by section 123A (2) (c) of the Constitution, the Commissioner shall comply with the procedures set out in the regulations.

PART VI
DUTIES OF THE PERSONNEL DEPARTMENT IN RELATION TO THE POLICE SERVICE

Powers and duties

24.(1) In addition to any duties or powers imposed or conferred by any other written law, the Personnel Department shall, in relation to the Police Service, carry out such duties as are imposed on it by this Act and without limiting the generality of the foregoing shall have the following duties:

(a) to maintain the classification of the Police Service;

(b) to keep under review the remuneration of police officers;

(c) to provide for and establish procedures for consultation and negotiation between the Department and the appropriate recognised association in respect of –

(i) the classification of offices;

(ii) any grievances;

(iii) the terms and conditions of employment.

(2) The Minister of Finance may make recommendations with regard to the remuneration to be paid to police officers.

(3) The Minister of Finance shall, before making recommendations pursuant to subsection (2) -

(a) consider the requirements of the Police Service;

(b) take into account the rates of pay and other terms and conditions of employment prevailing in Trinidad and Tobago for similar work outside the Police Service and the relationship of the duties of the various grades within the Police Service; and

(c) be guided by the considerations set out in section 20(2)(a) to (f) of the Industrial Relations Act.

Ch. 88:01

(4) Before making any recommendations under subsection (2), the Minister of Finance may require the Personnel Department to consult with representatives of the appropriate recognised association with respect to the matters specified in subsection (1).

Consultation with appropriate recognised association

25. Where the representatives of the appropriate recognised association request a consultation with respect to matters specified in section 24(1) or the Minister of Finance directs that such consultation is necessary and desirable the Personnel Department shall consult with the representatives of such association in respect of those matters.

Where no agreement reached after consultation

26. Where the Personnel Department consults and negotiates with representatives of the appropriate recognised association with respect to matters specified in section 24 at the request of such representatives, the Personnel Department and the appropriate recognised association are, within twenty-one days of the commencement of such consultation and negotiation, or within such further period as may be agreed upon, unable to reach agreement on any matter, the Personnel Department or the appropriate recognised association shall report the matter on which no agreement has been reached to the Minister of Finance, and on such report being made a dispute is deemed to exist as to the matter.

Submission of proposals to appropriate

27.(1) Where the Personnel Department, before making proposals with respect to matters specified in section 24, does not consult with

recognised association for approval

representatives of the appropriate recognised association, the Personnel Department shall submit the proposals to the appropriate recognised association for consideration and agreement

(2) Where the Personnel Department and the appropriate recognised association are, within twenty-one days of the submission of the proposals as mentioned in subsection (1), or within such further period as may be agreed upon, unable to reach agreement on any matter, the Personnel Department or the appropriate recognised association shall report the matter on which no agreement has been reached to the Minister of Finance, and on such report being made a dispute is deemed to exist as to the matter.

Agreement to be recorded and signed

28.(1) Where the Personnel Department and the appropriate recognised association reach agreement on any of the matters specified in section 24(1) after consultation and negotiation in accordance with section 26 or 27, the agreement shall be recorded in writing and shall be signed by the Chief Personnel Officer on behalf of the Minister of Finance and by a person designated by the appropriate recognised association on behalf of the association.

(2) An agreement recorded and signed in accordance with subsection (1) shall be binding upon the State and the police officers to whom the agreement relates.

Personnel Department subject to Minister of Finance under this Part
Chap. 23:01

29. Notwithstanding section 13(1) of the Civil Service Act, in the exercise of its duties and functions under sections 24, 25, 26, 27 and 28 of this Act, the Personnel Department shall be subject to the directions of the Minister of Finance.

Dispute to be referred to Special Tribunal

30.(1) Where a dispute is deemed to exist under section 26 or 27, the Minister of Finance shall refer the dispute for settlement to the Special Tribunal within twenty-one days from the date on which the dispute was reported to him.

(2) Where the Minister fails to refer the dispute to the Special

Tribunal within the time specified in subsection (1), the appropriate recognised association that is a party to the dispute may do so within twenty-one days from the date of the expiration of the time specified in subsection (1).

(3) For the purpose of this Act, the parties to a dispute shall be the Chief Personnel Officer and the appropriate recognised association.

Special Tribunal power of award

31.(1) The Special Tribunal shall hear and determine any dispute referred to it under section 30 and shall make an award on the dispute.

(2) An award made by the Special Tribunal shall be final.

(3) In addition to taking into account any submission, argument and evidence presented or tendered by or on behalf of the appropriate recognised association and the Chief Personnel Officer, the Special Tribunal in its judgment shall be guided by the considerations set out in section 20(2)(a) to (f) of the Industrial Relations Act.

Award to be binding on parties for fixed period

32.(1) An award made by the Special Tribunal under section 31 shall be binding on the parties to the dispute and all police officers to whom the award relates and shall continue to be binding for a period to be specified in the award, but not less than five years from the date upon which the award takes effect.

(2) The Special Tribunal may, with the agreement of the parties to an award, review such award at any time after the third anniversary of the making of such award.

PART VII – POLICE SERVICE ASSOCIATIONS

Prohibition against membership of trade union. Chap. 88:02

33. A police officer shall not be a member of any trade union, or any body or association registered under the Trade Unions Act.

Representation of police officers

34. Police officers may form associations, and such associations shall, subject to this Act, be recognised by the Minister of Finance as

appropriate associations for consultation and negotiation in respect of any of the matters specified in section 24 and any other matters concerning police officers.

Regulations governing recognition

35. The President may make regulations setting out the conditions to be satisfied and the procedure to be adopted for the recognition by the Minister of Finance of associations formed pursuant to section 34.

Appropriate recognised association to make rules

36.(1) Every appropriate recognised association shall make rules providing for the administration of the association and for carrying out the objects of the association, and with respect to such rules the following provisions shall have effect:

Fourth Schedule

(a) the rules shall contain provisions in respect of the several matters mentioned in the Fourth Schedule;

(b) a copy of the rules and any amendment shall be delivered by the association to every police officer who is a member of that association on demand and on payment of the prescribed sum.

(2) The rules, including any amendment to such rules, of an association shall be filed with the Registrar General and have effect from the date on which they are filed unless some later date is specified from which they shall have effect.

Complaints by members of appropriate recognised association

37.(1) On any complaint in writing signed by not less than fifty financial members of an association representing police officers in the Second Division or, in the case of an association representing police officers in the First Division, not less than five financial members, respecting the rules or business of the association, the Registrar General shall inquire into the complaint and may either dismiss it or if, after giving the complainants and the association an opportunity of being heard, he finds the complaint to be justified may either –

(a) so declare, but make no order under this subsection; or

(b) make an order specifying the steps which the association must take to remove the cause for complaint.

(2) The Registrar General shall furnish to the appropriate recognised association a written statement, with reasons, for any decision which he gives under this section.

(3) A decision made by the Registrar General shall be binding on the association and failure to comply with such a decision shall render the association liable to withdrawal of recognition by the Minister of Finance.

(4) The Registrar General may order -

(a) the association to pay the complainant a specified sum out of the funds of the association; or

(b) a complainant to pay to the association a specified sum,

in respect of the costs incurred by the complainant or the association, as the case may be, and such sum shall be recoverable summarily as a civil debt.

(5) In this section, "complainant" means a financial member who signs the complaint.

Recognised police associations

38. On the commencement of this Act, the police associations established under the former Act shall continue under this Act as if they were established under this Act.

PART VIII
GENERAL FUNCTIONS AND OBLIGATIONS OF MEMBERS OF THE POLICE SERVICE

Police officer voting

39. A police officer shall not be debarred from voting at any election if, under the laws governing the said election, he has the right to vote.

Police officer and political activities

40. A police officer is disqualified from membership of the Senate, the House of Representatives, the Tobago House of Assembly, or a

Municipal Corporation.

Public statements by police officer on certain matters

41.(1) Subject to this section, a police officer shall not –

(a) in any public place or in any document or any other medium of communication, whether within Trinidad and Tobago or not, publish any information or express any opinion on matters of national security interest or national or international political controversy;

Chap. 2:01

Act No. 40 of 1996

(b) be a scrutineer under the Representation of the People Act or the Tobago House of Assembly Act, 1996 or an election agent or an assistant to an election agent of a Parliamentary, Tobago House of Assembly, or Municipal candidate.

(2) Subsection (1)(a) shall not apply where –

(a) a police officer is acting in the execution of his official duties;

(b) the information or opinion is published in the course of a lecture or address, the subject matter of which is approved by the Commissioner, made or given at any educational institution in the *bona fide* pursuit of the professional activity of the police officer; or

(c) the information or opinion is expressed in an article or other literary contribution, the subject matter of which is approved by the Commissioner, to a journal or other periodical or document prepared in the *bona fide* pursuit of the professional activity of the police officer.

(3) In this section, "publish" means to communicate the information or opinion to any other person whether orally or in writing and includes the broadcasting of words and pictures by wireless telegraphy or any other means; and in relation to any writing means exhibiting in public or causing to be read or seen or showing or delivering or causing to be shown or delivered in order that the writing may be read or seen by any person.

Certain police officers to be Justices

42.(1) Every police officer of the First Division and every Inspector shall *ex officio* be a Justice of the Peace for Trinidad and Tobago, and shall take the oath of such a Justice.

(2) A police officer who is a Justice of the Peace shall at all times act ministerially for the purposes of the preservation of the peace, the prevention of crime and the detection and committal of offenders, and for carrying out the other objects of this Act, but he shall not in any way act as a judicial officer, either in any court or in any other manner, except when specially appointed so to act.

Every police officer to be a constable

43. Every police officer shall have all such rights, powers, authorities, privileges and immunities, and is liable to all such duties and responsibilities, as any constable duly appointed now has or is subject or liable to, or may have or be subject or liable to under any written or unwritten law.

General power of police officer

44. Where in any written law power is conferred upon a police officer of a certain grade, such power may lawfully be exercised by a police officer of a higher grade.

General duties of police officer

45. A police officer –

(a) shall preserve the peace and detect crime and other breaches of the law;

(b) may arrest, charge and bring before a summary court a person found committing any offence rendering him liable to arrest without warrant, or whom he reasonably suspects of having committed any such offence;

(c) may summon before a summary court a person whom he reasonably suspects of committing an offence;

(d) may prosecute a person who commits any offence;

(e) shall serve and execute at any time, including Sundays,

all process which he may be directed to serve or execute;

(f) shall keep order in and within the precincts and in the vicinity of all courts during all sittings of such courts;

(g) shall repress internal disturbances;

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

Power to arrest without a warrant

46.(1) A police officer may arrest without a warrant –

(a) a person who is charged by another person with committing an aggravated assault in any case in which such police officer believes upon reasonable ground that such assault has been committed although not within his view, and that by reason of the recent commission of the offence a warrant could not have been obtained for the apprehension of the offender;

(b) a person who commits a breach of the peace in his presence;

(c) a person who obstructs a police officer while in the execution of his duty, or who has escaped or attempts to escape from lawful custody;

(d) a person in whose possession anything is found which may reasonably be suspected to have been stolen or who may reasonably be suspected of having committed an offence with reference to such thing;

(e) a person whom he finds lying or loitering in any public or private place or building and who does not give a satisfactory account of himself;

(f) a person whom he finds in any public or private place or building and whom he suspects upon reasonable grounds of having committed or being about to commit an offence;

(g) a person found having in his possession without lawful excuse any implement of housebreaking.

(2) Without prejudice to the powers conferred upon a police officer by subsection (1), a police officer, and all persons whom he may call to his assistance, may arrest without a warrant a person who within view of such police officer commits an offence and whose name or residence is unknown to such police officer and cannot be ascertained by him.

Power to arrest without having warrant in possession

47. Where a warrant has been issued in respect of a person charged with an offence, a police officer shall, notwithstanding that the warrant is not in his possession, arrest the person charged with the offence, but the warrant shall, on the demand of the person arrested, be shown to him as soon as practicable after his arrest.

Execution of warrant or order

48. When a warrant or order of a Magistrate or Justice is delivered to a constable, he shall, if the time will permit, deliver the same to the police officer under whose immediate command he is, and such officer shall direct one or more of the police officers under his command and such assistant as he thinks proper to execute such warrant or order, and every such warrant or order may be executed by any constable.

Action against police officer for acting on warrant or order

49.(1) When an action is brought against a police officer for an act done in obedience to a warrant or order of a Magistrate or Justice, the officer shall not be responsible for any irregularity in the issuing of the warrant or order or for any want of jurisdiction in the Magistrate or Justice issuing it.

(2) In any action brought under subsection (1), the court shall give judgment for the officer if he fulfils the following conditions –

(a) he gives the warrant or order in evidence;

(b) he proves that the Magistrate or Justice signed the warrant or order; and

(c) he proves that the act complained of was done in obedience to the warrant or order.

Power to take measurement, photograph, or finger print

50. A police officer may take and record for the purpose of identification the measurement, photograph or finger print impression of a person who is in lawful custody but if such measurement, photograph or finger print impression is taken of a person who has not previously been convicted of a criminal offence, and such person is discharged or acquitted by a court, all records relating to such measurement, photograph or finger print impression shall on request be handed over to such person, or, where no such request is made within four months, be destroyed.

Certificate of character

51. A person who applies to the Police Service for a certificate of character shall pay the prescribed fee to the police officer in charge of the police station at which the application is made.

Analysis of finger print impression

52. A person who applies to the Police Service for an analysis of a finger print impression affixed to a document shall pay the prescribed fee to the police officer in charge of the police station at which the application is made.

Punishment for serious offence

53.(1) A police officer who –

(a) begins, raises, abets, countenances or excites a mutiny, or terrorist act or causes or joins in any sedition amongst the members of the Police Service; or

(b) knows of any actual or intended mutiny, rebellion, insurrection or terrorist act and does not without delay give information thereof to a police officer senior in rank,

commits an offence and is liable on conviction on indictment to imprisonment for ten years.

(2) A police officer who –

(a) being present at any assemblage tending to riot, does not use his utmost endeavours to suppress the same;

(b) assaults a judicial officer or police officer senior in rank;

(c) draws or lifts, or offers to draw or lift, any weapon or offers any violence against any such judicial officer or police officer senior in rank;

(d) wilfully permits the escape of a prisoner;

(e) uses unnecessary violence to or ill-treats any prisoner;

(f) pawns, sells, makes away with, abandons or wilfully spoils or damages his arms, accoutrements, clothing or any public property, or

(g) fails to take action in a case where a serious offence has been committed or where he has witnessed a serious offence,

is liable on summary conviction to a fine of thirty thousand dollars and to imprisonment for five years.

Public property not to be used privately

54. Unless he is specially authorised to do so by the regulations, no police officer is entitled to keep or use for his private benefit any article that has been supplied to him at the public expense, but he shall hold every such article at the order and disposal of the State.

Delivery up of article supplied on leaving the Police Service

55.(1) A police officer who is dismissed from the Police Service, or resigns his office, or otherwise leaves the Police Service, shall forthwith deliver over to the person authorised by the regulations or appointed for that purpose every article which has been supplied to him at the public expense and which he has not been expressly authorised to keep or use for his private benefit.

(2) A police officer who contravenes this section is liable on summary conviction to a fine of ten thousand dollars and to imprisonment for two years.

(3) A Magistrate or Justice may issue a warrant to search for and seize any article mentioned in subsection (1) which is not so delivered, wherever it may be found.

Improper possession of article supplied to police officer

56. A person who has in his possession any article which has been supplied at the public expense to a police officer, and which the police officer has not been expressly authorised to keep or use for his private benefit, and who does not satisfactorily account for its possession commits an offence, and may be arrested without warrant by any police officer and is liable on summary conviction to a fine of ten thousand dollars and to imprisonment for two years.

Delivery up of article supplied to deceased police officer

57.(1) When a police officer dies, the person in whose custody, control or possession is any article which has been supplied at the public expense to such police officer for the execution of his office, shall, after due notice by any police officer, deliver up to the person appointed for that purpose any such article.

(2) Subsection (1) does not apply to any article that the officer has been expressly authorised to keep for his private benefit.

(3) A person who contravenes subsection (1) is liable on summary conviction to a fine of five thousand dollars and to imprisonment for one year.

(4) A Magistrate or Justice may issue a warrant to search for and seize any article mentioned in subsection (1) which is not so delivered over, wherever the same may be found.

Unclaimed article

Ch. 84:05

58.(1) Where any property has come into the possession of the Police Service in connection with any criminal charge or under section 29 of the Pawnbrokers Act, a summary court may, on application either by a police 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 of it or, if the owner cannot be ascertained, make such order with respect to the property as the court thinks fit.

(2) An order under this section shall not affect the right of any person to take within six months from the date of the order legal proceedings

against any person in possession of property delivered by virtue of the order for the recovery of the property, but on the expiration of those six months the right shall cease.

(3) Where property has come into the possession of the Police Service –

(a) under subsection (1); or

(b) in respect of which the owner cannot be ascertained and no order has been made with respect to it by a court,

it shall be dealt with as follows:

(i) if the property is a perishable article, or its custody involves unreasonable expense or inconvenience, it may be sold as soon as convenient after it has come into the possession of the Police Service;

(ii) if the property consists of money, it shall be dealt with as provided in this section with regard to the proceeds of a sale after it has remained in the possession of the Police Service for three months;

(iii) in the case of any other property the same may be publicly sold at auction as soon as possible after it has remained in the possession of the Police Service for three months and has been advertised in two local daily newspapers for three consecutive days.

(4) The proceeds of the sale shall, after deduction of expenses, be paid immediately to the Comptroller of Accounts who shall deposit it to the credit of the Award Fund.

(5) Where property has been found by a person, other than a police officer, and no provision is made for it to be dealt with by law and it has not been claimed by the real owner it may be delivered to the finder on his claiming it, but such delivery to the finder shall not be made until it has remained in the possession of the Police Service for three months.

(6) Where property found under subsection (5) is of such a nature that it necessitates an immediate sale, it shall be sold immediately and the proceeds of the sale shall be deposited with the Comptroller of Accounts who shall credit it to the Award Fund.

(7) Where the owner of the proceeds mentioned in subsection (6) have not claimed it after three months, it may be delivered, less any expenses, to the finder on his claiming it.

(8) In all cases in which property deposited with the Police Service or the proceeds thereof is delivered to the finder, he may be required to execute a bond of indemnity to the Police Service in respect of the delivery.

Assault, etc., on police officer

59. A person who assaults, obstructs, or resists a police officer in the execution of his duty, or aids or incites another person so to assault, obstruct, or resist a police officer or a person assisting the police officer in the execution of his duty, is liable on summary conviction to a fine of twenty thousand dollars and to imprisonment for three years.

Refusing to assist police officer assaulted

60. If a person is called upon to assist a police officer who is, while in the execution of his duty, assaulted or resisted or in danger of being assaulted or resisted, and such person refuses or neglects to assist accordingly without reasonable cause, he is liable on summary conviction to a fine of ten thousand dollars and to imprisonment for one year.

Harbouring police officer

61.(1) A person who -

(a) knowingly harbours or entertains or, either directly or indirectly, sells or gives any intoxicating liquor to a police officer who is on duty;

(b) knowingly permits a police officer to remain in his house, except in case of extreme urgency, when on duty; or

(c) by threats or by offer of money, gift, intoxicating liquor or any other thing, induces or endeavours to induce a police officer to commit a breach of his duty,

is liable on summary conviction to a fine of fifteen thousand dollars and to imprisonment for one year.

(2) If a person, who is the owner or occupier of premises licensed under the Liquor Licences Act or is employed in connection with the business of any such premises, is convicted under this section, the record of the proceedings shall be forwarded to the licensing committee which granted the licence, and the owner or occupier is, in addition to any other penalty under this section, liable to have his licence forfeited or suspended by that licensing committee.

Chap. 84:10

(3) On the trial of a complaint in respect of an offence under this section, if the other facts constituting the offence are established, it shall not be necessary to prove knowledge or intention, but the onus of disproving it shall lie upon the defendant.

Impersonation of police officer or wearing police uniform, etc.

62. A person, other than a police officer, who without the written authority of the Commissioner -

(a) puts on or assumes, either in whole or in part, the uniform, name, designation or description of a police officer, or a uniform, name, or designation, resembling and intended to resemble the uniform, name or designation of a police officer; or

(b) in any way pretends to be a police officer for any purpose which he would not by law be entitled to do of his own authority,

is liable on summary conviction to a fine of thirty thousand dollars and to imprisonment for three years.

Obtaining admission into

63.(1) A person who, for the purpose of obtaining admission into the

the Police Service by fraud

Police Service, knowingly –

(a) uses or attempts to pass off a forged or false certificate, letter or other document; or

(b) makes a false answer to a question which is put to him by a police officer,

is liable on summary conviction to a fine of ten thousand dollars and to imprisonment for one year.

(2) A police officer may arrest without warrant a person whom he reasonably believes has committed an offence under this section.

Right to prosecute police cases

64. Where a police officer lays an information or makes a complaint against a person, any police officer may appear before the Magistrate or Justice who is trying or enquiring into the matter of the information or complaint, and shall have the same privileges as to addressing the Magistrate or Justice, and as to examining the witnesses adduced in the matter, as the police officer who laid the information or made the complaint would have had.

Award Fund

65. The Award Fund continued under the former Act shall continue to be kept by the Commissioner and administered in accordance with this Act, and shall be appropriated to the payment of such -

(a) gratuities and awards as the Commissioner may direct to be paid to a police officer;

(b) compassionate gratuities to the spouse and children of a police officer as, in exceptional circumstances, the Commissioner may allow;

(c) compassionate gratuities to any person dependent on a deceased police officer, other than his spouse and children as, in exceptional circumstances, the Commissioner may allow;

(d) award as, under section 67, a Judge of the High Court or

Magistrate may grant to a police officer;

(e) special compensation as the Commissioner may award to a police officer for injuries he sustained in the performance of his function;

(f) sums as may become payable to finders of property sold under section 58.

Awards Board

66.(1) The Awards Board (herein referred to as "the Board") established under the former Act shall continue under this Act as if it is established under this Act.

(2) The Board shall meet at least once in every quarter to consider and recommend awards in accordance with section 65.

(3) The appropriate recognised association is entitled to submit recommendations for awards to the Commissioner who shall transmit them to the Board for its consideration.

Granting of special award

67. If, during the trial of a criminal case, the Judge or Magistrate before whom the case is being tried is of the opinion that a police officer has distinguished himself in apprehending or detecting and bringing to justice the perpetrator or abettor of any crime, the Judge or Magistrate is entitled to grant an award, not exceeding five hundred dollars, to the police officer; and such an award shall be paid on the certificate of the Judge or Magistrate.

Fines and bribes to be payable to the Fund

68.(1) All fines or penalties imposed upon a police officer under this Act shall be retained from his pay by the deduction of no more than half the amount which may be due to him on any day of payment until the whole be paid, and shall be paid to the credit of the Award Fund.

(2) A bribe or gift of money coming into the possession of a police officer or the value of any goods given as a bribe to a police officer shall be paid to the credit of the Award Fund.

Account to be

69.(1) The Commissioner shall –

kept

(a) keep an account of all moneys paid into and disbursed from the Award Fund;

(b) submit to the Auditor General at the end of each month a statement showing all receipts and disbursements;

(c) state in the statement the reasons and authority for each disbursement; and

(d) deposit all moneys received for the credit of the Award Fund as soon as practicable in a financial institution, approved by the Minister.

(2) When the sum standing to the credit of the Award Fund exceeds fifty thousand dollars the Commissioner shall decide to what purpose the surplus shall be put.

PART IX – MISCELLANEOUS PROVISIONS

Sale of liquor in Canteens and Messes

70.(1) Notwithstanding any written law to the contrary, the Canteen steward of a police Canteen and the secretary of a Mess Committee may sell intoxicating liquor to police officers and honorary members in any such Canteen or Mess without having previously obtained a licence for that purpose.

(2) The Canteen and Mess Committee shall make rules in regard to the hours during which a Canteen or Mess shall be kept open for the sale of intoxicating liquor and for the proper management and control of Canteens and Messes.

(3) A police Canteen or Mess shall be managed by a Canteen or Mess Committee respectively which shall consist of the Deputy Commissioner, Administration, as Chairman, and such other members as may be determined by the Chairman and the appropriate recognised association.

Police station to be lock-up

71.(1) Every police station is deemed to be a lock-up in which a person charged with an offence may be temporarily confined.

(2) In every police station there shall be provided a secure place of confinement.

Police officer to take oath of office

72. A police officer shall, on his first appointment, take and subscribe the oath or affirmation of office and secrecy set out in the Fifth Schedule.

Fifth Schedule

Mode of leaving service

73. A police officer may leave the Police Service only by the modes prescribed.

Age of retirement for police officer

74.(1) A police officer in the Second Division shall retire from the Police Service on his attaining the age of fifty-five years but may, with the approval of the Commissioner, be permitted to retire on his attaining the age of fifty years.

(2) A police officer in the First Division shall retire from the Police Service on his attaining the age of sixty years, but may -

(a) at his option; or

(b) at the instance of the Commissioner,

retire from the Police Service at any time after he has attained the age of fifty-five years.

(3) Subject to subsection (2), a police officer in the First Division who has attained the age of fifty years may, with the approval of the Commissioner, be permitted to retire from the Police Service at anytime after he has attained that age.

(4) The functions of the Commissioner under subsections (2) and (3) shall, in relation to the Commissioner and a Deputy Commissioner, be performed by the Commission.

Extension of service

75. Notwithstanding section 74 and any other written law-

(a) the President may in relation to a police officer in the First Division; or

(b) the Commissioner may in relation to a police officer in

the Second Division,

where he considers it in the national interest, extend the years of service of the police officer after he has reached the prescribed age of retirement, for a period of one year in the first instance and thereafter, subject to an annual review, for a maximum of two further periods of one year each.

Grant of one month's salary to next of kin of deceased police officer

76. When a police officer dies the Minister shall order that a month's salary of the officer, from the date of his death, shall be paid to his spouse, children or other next of kin.

Payment of arrears of salary or pension without production of probate or letters of administration

77.(1) On the death of a police officer to whom any sum of money may then be due on account of salary or pension chargeable on the revenue of the State, the Minister may, by Order, on being satisfied of the expediency in such case of dispensing with the production of a grant of probate or letters of administration, cause such sum to be paid to a person he considers entitled to it, without requiring the production of the grant of probate or letters of administration.

(2) A payment made under subsection (1) is valid against any person and a person acting under this section is absolutely discharged from all liability in respect of any money paid to him under this section.

Regulations

78.(1) The President may make regulations to give effect to the purpose of this Act, and in particular for the following matters:

(a) for prescribing classifications for offices in the Police Service, including qualifications, duties and remuneration;

(b) for prescribing the procedure for appointments from within the Police Service;

(c) for prescribing periods of probation;

(d) for prescribing the procedure for the recovery of any penalties from a police officer;

(e) for regulating the hours of attendance of police officers and the keeping and signing of records of attendance or for prescribing other methods of recording attendance;

(f) for regulating the duties to be performed by police officers;

(g) for regulating the granting of leave to police officers;

(h) for prescribing arrangements and procedures for providing, assisting in or co-ordinating staff development programmes;

(i) the appointment, training and discipline of the police officers;

(j) the description and issue of arms, ammunition, accoutrements, uniform and necessaries to be supplied to the Police Service;

(k) for prescribing the procedures for pensions, gratuities and injury allowance to be granted in respect of the services of police officers;

(l) for prescribing and providing for the use of powers under this Act;

(m) for regulating generally the terms and conditions of employment, including temporary employment and employment on contract;

(n) promotion, secondment, transfer and removal from office;

(0) generally, for the good order and management of the Police Service.

(2) Regulations applying to the Police Service in operation at the coming into force of this Act shall have effect in relation to police officers under this Act until regulations have been made under this Act.

Savings

79.(1) All legal or disciplinary proceedings pending, under the former Act prior to the coming into force of this Act shall continue as if

this Act had not been passed.

(2) All decisions made or issued or in force or all things done under the former Act prior to the coming into force of this Act shall continue to have full force and effect as if commenced, made, issued or done under this Act.

Repeal
Chap. 15:01

80. The Police Service Act is repealed.

Sec. 7(2)

FIRST SCHEDULE

OFFICES IN THE FIRST DIVISION OF THE POLICE SERVICE

Commissioner

Deputy Commissioner

Assistant Commissioner

Senior Superintendent

Superintendent

Assistant Superintendent

Sec. 7(3)

SECOND SCHEDULE

OFFICES IN THE SECOND DIVISION OF THE POLICE SERVICE

Inspector

Sergeant

Corporal

Constable

Sec. 4(1), 6

THIRD SCHEDULE

CLASSIFICATION OF OFFICES IN THE POLICE SERVICE

Old Title of Post	*New Title of Post*	*Effective Date*
	GRADE 1	
Police Band Apprentice	Police Band Apprentice	01.10.03
	GRADE 2	
Police Bandsman I	Police Bandsman I	01.10.03
Police Constable	Police Constable	01.10.03
	GRADE 3	
Police Bandsman II	Police Bandsman II	01.10.03
Police Corporal	Police Corporal	01.10.03
	GRADE 4	
Police Bandsman III	Police Bandsman III	01.10.03
Police Sergeant	Police Sergeant	01.10.03
	GRADE 5	
Assistant Director of Police Band	Assistant Director of Police Band	01.10.03
Police Inspector	Police Inspector	01.10.03
	GRADE 6	
Deputy Director of Police Band	Deputy Director of Police Band	01.10.03
Assistant Superintendent of Police	Assistant Superintendent of Police	01.10.03
	GRADE 7	
Director of Police Band	Director of Police Band	01.10.03
Superintendent of Police	Superintendent of Police	01.10.03
	GRADE 8	
Senior Superintendent of Police	Senior Superintendent of Police	01.10.03
	GRADE 9	
Assistant Commissioner of Police	Assistant Commissioner of Police	01.10.03

Sec. 36(1)

FOURTH SCHEDULE

MATTERS TO BE INCLUDED IN RULES OF A POLICE ASSOCIATION

1. The name of the Association and the place of meeting for its business.

2. The objects for which the Association is to be established, the purposes for which its funds shall be applicable, and the conditions under which any member may become entitled to any benefit assured thereby, and the fines and forfeitures to be imposed on any member of the Association.

3. The manner of making, altering, amending and rescinding rules.

4. A provision for the appointment and removal of a general committee of management, of a trustee, treasurer and other officers.

5. A provision for the investment of the funds, and for an annual or periodical audit of accounts.

6. The inspecting of the books and names of members of the Association by every person having an interest in its funds.

7. The manner of dissolution.

8. The protection of voting rights of members of the Association and the general conduct of elections.

9. The powers, duties and functions of the Executive Committee of the Association.

10. Method to resolve disputes between the members of the Association and the members of the Executive Committee.

11. Prohibition against admission to membership with respect to a police officer who is a member of an appropriate recognised association.

Sec. 72

FIFTH SCHEDULE

OATH*/AFFIRMATION* OF OFFICE AND SECRECY

I, …… do swear*/do solemnly and sincerely affirm*/ that I will well and truly serve Trinidad and Tobago in the office of ……without favour or affection, malice or ill will, and that I will cause the peace to be kept and preserved in Trinidad and Tobago, and that I will prevent, to the utmost of my power, all offences against the same; and that while I shall 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 and will not, without due authority in that behalf, in any manner whatsoever publish or communicate any facts or information being facts or expressions of opinion based on such facts that come to my knowledge by reason of my being the holder of such office. So help me God.†

* delete whichever is inapplicable.

† delete in case of affirmation.

Passed in the House of Representatives this day of , 2006.

Clerk of the House

I confirm the above

Speaker

Passed in the Senate this day of , 2006.

Clerk of the Senate

I confirm the above

President of the Senate.