

---

LAWS OF SAINT VINCENT AND THE GRENADINES

REVISED EDITION 1990

**CHAPTER 280**

**POLICE ACT**

Act 48 of 1947

amended by

Act 9 of 1949

Act 8 of 1950

Act 32 of 1951

Act 6 of 1954

Act 11 of 1956

Act 27 of 1956

S.R.O. 16 of 1957

Act 19 of 1957

\*Act 3 of 1959

Act 5 of 1960

\*The Court Order, 1967

Act (0) 2 of 1969

\*Act 3 of 1969

\*S.R.O.54 of 1969

Act 21 of 1971

\*Act 3 of 1978

\*The Constitution

\*S.R.O.38 of 1980

\*Act 20 of 1987

\*Act 23 of 1988

Act 44 of 1988

Act 25 of 1989

**Numbering of sections**

Original number	Comment	Present number
1		1
2	a 32/51, 6/54, 27/56	2
3	a 5/60	3
4	*	4
5	r/r 5/60	5
6		6
7	r/r 5/60	7
8-9		8-9
10	a 8/50	10
11-12		11-12
13-14		13-14
15-21	r 44/88	
22	r/r 9/49, a 23/88	15
23		16
24	a 25/89*	17
25	spent/omitted	
26	r/r 5/60*	18
27	r 5/60	
28-30	a 5/60	19-21
31-32	r 5/60	
33	a 5/60	22
34-35		23-24
36	r 32/51	
37		25
38-39	a 5/60	26-27
40	r/r 32/51	28
41-42		29-30
43-44	r/r 32/51	31-32
44A	ins 21/71	33
45	r/r 5/60	34
46	r/r 32/51, a 11/56	35
46A	ins 11/56, a 19/57, 5/60	36
47-48	r/r 32/51	37-38
48A	ins 32/51, r/r 2/69	39
48B-E	ins 32/51	40-43
49	r/r 32/51	44
50		45
50A - B	ins 32/51	46-47
51		48
51A-C	ins 19/57	49-51

51D	ins 19/57, a 5/50	52
51E-F	ins 19/57	53-54
52	r/r 6/54	55
53	r/r 5/60	56
54-56	r/r 6/54	57-59
56A- B	ins 6/54	60-61
56C	ins 6/54, a 5/60	62
56D - F	ins 6/54	63-65
57	r/r 6/54	66
57A	r/r 6/54	67
58	r/r 6/54, a 19/57	68
59	a 8/50, 25/89	69
59A	ins 8/50, a 25/89	70
60-62	r/r 32/51	71-73
63-65		74-76
66-68	spent/omitted	

\* Note: the sections of the original Act relating to appointments and discipline (4, 23, 24, 25 and 26) have, of necessity, been rewritten (except s. 25 which has been overtaken) to take into account the provisions of the Constitution.

*Index of subsidiary legislation*

Booklet 1	Police Regulations
Booklet 2	Police Welfare Association Rules.
Booklet 3	Police (Subsistence and Lodging Allowances) Regulations.

## CHAPTER 280

## POLICE ACT

## Arrangement of sections

*Preliminary*

1. Short title.
2. Interpretation.

## PART I

*Formation, Appointment, etc.*

3. Establishment of Force.
4. Appointments.
5. Command.
6. Qualifications for enlistment.
7. Terms of enlistment.
8. Oath.
9. Equipment.
10. Medical attendance and funeral expenses.

## PART II

*Powers and duties*

11. Powers of members of the Force.
12. Duties of members of the Force.
13. Employment of the Force for military service.
14. Members killed or dying from wounds or disease.
15. Measurements, photographs and fingerprints.

## PART III

*Discipline, Returns, etc.*

16. Summoning of witnesses, etc.
17. Offences and punishment.
18. Appeal.
19. Arrest of members of the Force.
20. Deserters.
21. Enforcement of fines, etc.
22. Monthly returns.
23. Quarterly returns.
24. Members not liable for irregularity of warrant.
25. Members convicted by court not liable to further punishment

## PART IV

*Reward Fund, Good Conduct Pay and Financial*

26. Reward Fund.
27. Investment of Reward Fund.
28. Good conduct pay and badges.
29. Payment of extra expenses.
30. Payment while under arrest.
31. Pensions to be charged on Consolidated Fund.
32. Grant of pensions.
33. Service in Auxiliary Police.
34. Cases in which pensions may be granted.
35. Gratuities.
36. Pension to dependents of non-commissioned officer and constable killed on duty.
37. Allowance in case of injury.
38. Reduced pension and gratuity.
39. Definition of reduced pension and gratuity.
40. Compulsory retirement.
41. Pension not of right.
42. Pension not assignable.
43. Pension to cease on conviction.
44. Pension to cease on bankruptcy.
45. Pensions Act not to apply to non-commissioned officers and constables.
46. Saving of sections 43-49 of Police Act, 1947.
47. Service prior to transfer to be taken into account for pension purposes.

## PART V

*Rural Constables, Special Constables and Auxiliary Police Force*

48. Rural constables.
49. Appointment of special constables.
50. General powers, etc.; of special constables.
51. Arms, etc.; of special constables.
52. Direction of special constables.
53. Offences by special constables.
54. Remuneration of special constables.
55. Saint Vincent and the Grenadines Auxiliary Police Force.
56. Command and composition.
57. Qualifications for appointment.
58. Precept of appointment and oath.
59. Equipment.
60. Revocation of appointment.

61. Resignation.
62. Jurisdiction of officers.
63. Authority and pay.
64. Surrender of precept and equipment.
65. Offences.
66. Illness, bodily injury and death.
67. Saving.
68. Non-application of sections 71 and 72.

## PART VI

*Miscellaneous*

69. Offences in connection with members of the police.
70. Causing disaffection.
71. Police Welfare Association.
72. Prohibition of membership of trade unions.
73. Decision of Governor-General.
74. Regulations.
75. Members retiring or dismissed to deliver up uniform, etc.
76. Delivery of stolen goods to owner.

AN ACT to make provision for the establishment of a Police Force and for matters incidental thereto.

Commencement: 1st January 1949  
S.R.O 108 of 1948

*Preliminary*

Short title.

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

interpretation.

2. In this Act, unless the context otherwise requires-
  - "Commissioner" means the Commissioner of Police;
  - "constable" means any person employed under this Act who is neither an officer nor a non-commissioned officer;
  - "Court" means the High Court;
  - "Force" means the whole body of men employed under this Act, with the exception of rural constables;
  - "member of the Force" includes any officer, non-commissioned officer and constable;
  - "non-commissioned officer" includes any inspector, station sergeant, sergeant and corporal;
  - "officer" includes the Commissioner of Police, the Deputy Commissioner of Police, the Assistant Commissioner of Police, a Superintendent and an Assistant Superintendent;

pay" includes good conduct pay, pay received as a member of the Kingstown Fire Brigade, and the personal, detective, house and lodging allowances (including the estimated value of free quarters) which a non-commissioned officer or constable is receiving at the time when he ceases to be a member of the Force:

Provided that the amount to be allowed for house and lodging allowance shall not exceed one-sixth of the pay of such non-commissioned officer or constable.

## PART I

*Formation, Appointment, etc.*

3. (1) There shall be established and maintained in and for Saint Vincent and the Grenadines a Police Force, to be styled the Royal Saint Vincent and the Grenadines Police Force, which shall consist of a Commissioner of Police and such number of officers, non-commissioned officers and constables as the Governor, General may direct.

Establishment of Force.

(2) All members of the Saint Vincent Police Force employed on the 1st January, 1949, shall be deemed to be employed under this Act.

(3) Notwithstanding the provisions of any law to the contrary, women shall be eligible for appointment as members of the Force and, subject to the provisions of subsection (4) and of any order made thereunder, the provisions of this Act and of any regulations made hereunder shall apply, and shall be deemed always to have applied, to female members of the Force.

(4) The Governor-General may, by order, provide that any of the provisions of this Act shall not apply to all or any female member of the Force. An order under this subsection shall have no force or effect until it has been approved by resolution of the House of Assembly.

4. Appointment of all members of the Force shall be made in accordance with the provisions of the Constitution.

Appointments"

5. There shall be a Commissioner of Police who shall have command and superintendence of the Force and who shall be responsible to the Governor-General for the efficient administration and government of the Force and for the proper expenditure of all public monies appropriated for the service thereof.

Command.

6. (1) No person shall be enlisted in the Force as a non-commissioned officer or constable unless-

Qualifications for enlistment.

- (a) he has attained the age of nineteen but has not (unless the Commissioner in any special case otherwise determines) reached the age of thirty;
- (b) he has attained the standards of physical fitness and height and chest measurements as prescribed by regulations made under this Act:

Provided that in the case of an appointment to any non-commissioned rank any of these conditions may be dispensed with;

- (c) he passes such educational and general knowledge tests as may be required by the Commissioner; and
- (d) his personal record and character are satisfactory.

(2) Any candidate who, with a view to enlistment in the Force, knowingly makes any false statement or produces any birth certificate or testimonial which is false in any material particular is guilty of an offence and liable to a fine of two thousand five hundred dollars and to imprisonment for six months.

Terms of  
enlistment.

7. (1) Initial enlistment in the Force shall be for a period of eighteen months during which period a non-commissioned officer or constable shall be deemed to be on probation. At the end of the probationary period every non-commissioned officer or constable, if of good character and considered qualified for permanent enlistment in the Force, shall be so enlisted.

Provided that if the non-commissioned officer or constable does not intend to be permanently enlisted he shall give six months notice to the Commissioner of his intention not to be permanently enlisted.

(2) If at any time during the period of probation a non-commissioned officer or constable shall be found to be wanting in character or intelligence or otherwise unfitted to be a member of the Force his services may be terminated by the Commissioner.

(3) A non-commissioned officer or constable may, with the consent of the Commissioner, withdraw himself from the Force at any time by giving three months notice in writing of his intention so to do:

Provided that the Commissioner may dispense with this condition in any case if he sees fit.

(4) Any non-commissioned officer or constable may be discharged by the Commissioner-

- (a) if the Commissioner considers that he is unlikely to become or has ceased to be an efficient police officer;
- (b) if he is certified by a government medical officer to

be mentally or physically unfit for further service in the Force; or

- (c) on reduction of the establishment of the Force:

Provided that no such non-commissioned officer or constable may be discharged under the provisions of this subsection until he has had an opportunity to appeal to the Public Service Board of Appeal:

Provided further that any such non-commissioned officer or constable discharged under paragraphs (a) or (c) shall be entitled to three months notice:

Provided further that where a non-commissioned officer or constable discharged under any of the provisions of this subsection was, at the time of his discharge, eligible for a pension, gratuity or other like allowance under the provisions of this Act, the Governor-General may grant to such non-commissioned officer or constable such pension, gratuity or other allowance.

8. (1) Every person, on first appointment to the Force and before entering his duties, shall take the following oath.

"I, A.B., do swear that I will well and truly serve Our Sovereign Lady the Queen as a member of the Police Force in Saint Vincent and the Grenadines without favour or affection, malice or ill will; and that I will cause Her Majesty's peace to be preserved, and will prevent, to the utmost of my power, offences against the same, and that, during any time that I do or may hereafter hold any appointment in the Police Force, I will to the best of my knowledge and skill discharge all the duties thereof faithfully according to law. So help me God!"

(2) The oath under subsection (1) shall be administered by a justice of the peace.

9. (1) Every member of the Force shall be clothed, armed and equipped in such manner as may be prescribed by regulations made under this Act and, in the case of non-commissioned officers and constables, at the public expense. Equipment

(2) Any article supplied to any member of the Force at the public expense shall be held by such person at the order or disposal of the Commissioner.

10. (1) All members of the Force up to and including the rank of inspector shall be entitled to free medical and surgical treatment subject to such conditions as are prescribed by regulations made under this Act. Medical and surgical expenses.

(2) The funeral of every non-commissioned officer or

constable who dies while serving with the Force shall be at the public expense.

(3) All members of the Force who receive any bodily injury in the execution of their duties shall receive medical and surgical treatment at the public expense.

## PART II

### *Powers and Duties*

Powers of members of the Force.

**11.** Every member of the Force shall have throughout Saint Vincent and the Grenadines and in the several bays, creeks and inlets thereof, and also on board of any vessel in which any indictable offence, or any offence punishable on summary conviction is or may be suspected to be committed, all such authorities, privileges, protection and advantages, and be liable to all such duties and responsibilities as any constable duly appointed now has or is subject or liable to, or may hereafter have or be subject or liable to, either by the common law of England or by virtue of any law which now is or which may hereafter be in force in Saint Vincent and the Grenadines.

Duties of members of the Force.

**12.** It shall be the duty of the Force to take lawful measures for-

- (a) preserving the public peace;
- (b) preventing and detecting crimes and offences;
- (c) apprehending and causing to be apprehended persons who shall have committed, or shall be charged with or suspected of having committed or having abetted the commission of, or being about to commit, any crime or offence;
- (d) regulating processions and assemblies in public places;
- (e) regulating the traffic upon public thoroughfares and removing obstructions therefrom;
- (f) preserving order and decorum in public places and places of public resort, at public meetings, and in assemblies for public amusements: for which purpose each and every member of the Force when on duty shall have free admission to all such meetings and assemblies while open to any of the public; assisting in carrying out the revenue, excise, quarantine, emigration and immigration laws; assisting in preserving order in the different ports and harbours in Saint Vincent and the Grenadines; and in enforcing the port regulations therein;

- (i) executing summonses, subpoenas, warrants, commitments, and other criminal or quasi-criminal process issued by the several magistrates, justices of the peace and coroners on complaints or proceedings before them; exhibiting informations and conducting prosecutions for crimes and offences; the protection of unclaimed and lost property, and finding the owners thereof; taking charge of and impounding any animals found straying in any public place; assisting in the protection of life and property at fires; protecting public property from loss or injury; attending the High Court and magistrates' courts and keeping order therein; escorting prisoners to and from prisons and places of detention; executing such other duties as may by law be imposed on a member of the Force.

**13.** (1) Every member of the Force is liable to actual military service for the defence of Saint Vincent and the Grenadines in the event of war or other emergency.

Employment of the Force for military service.

(2) The provisions of subsections (4), (5) and (6) shall have effect only by virtue of a proclamation made in the event of war or other emergency by the Governor-General, directing that the said provisions shall come into operation; and when such a proclamation is made the 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-General and shall then cease to have effect except as respects thing previously done or omitted to be done.

(3) Any such proclamation may relate to only one or two of the said subsections:

Provided that neither subsections (5) or (6) shall at any time be in operation unless subsection (4) is in operation.

(4) The Force, or any part thereof specified in any proclamation, shall be a military force liable to be employed on military duties in the defence of Saint Vincent and the Grenadines, and members of the Force to whom the proclamation applies shall hold, in addition to their police ranks under this Act, such military ranks as may be determined by regulations made by the Governor-General.

(5) The provisions of the Army Act of the Parliament of the United Kingdom with respect to discipline shall apply to a military force constituted under this section with the following modifications-

- (a) references to "Her Majesty" or "Secretary of State" shall be construed as references to the Governor-General;
- (b) no sentence of a court martial upon the trial of a member of the force shall be carried into execution unless confirmed by the Governor-General.

(6) Any person who volunteers for military service with the Force under this section may be enrolled as a member of the Force for that purpose with such military rank as may be determined by regulations made by the Governor-General, and, save as may be otherwise prescribed by regulations under this section, shall not have any of the rights, powers or duties, or be subject to any of the liabilities, of a member of the Force for any other purpose.

(7) Where provision has been made by proclamation under this section relating to only one or two subsections, like provision relating to the remaining subsection, or to one or both of the remaining subsections, as the case may be, may be made by further proclamation; and any proclamation under this section may, as respects its applicability or in applicability to any part of the Force, be varied by further proclamation.

(8) Whenever the Force is called out for military service pursuant to a proclamation issued under this section the provisions of this Act dealing with discharge or withdrawal from the Force shall, *ipso facto*, be suspended during the continuance of such military service except with the express authority of the Governor-General.

(9) The Governor-General may make regulations for the administration and discipline of the Force or part thereof serving as a military force, and generally for giving effect to the provisions of this section, and for those purposes may, by such regulations, modify or amend the provisions of this Act (other than this section). Subject to the provisions of such regulations, members of the Force to whom the proclamation applies shall continue to be subject to the provisions of the Army Act for the time being applicable by virtue of subsection (5).

Members  
killed or dyin  
from wounds-  
or disease.

14. When any member of the Force is disabled or killed in actual military service, or dies from wounds or disease contracted on actual military service, provision may be made for him, or for his wife and family, as the case may be, out of the

Consolidated Fund in accordance with the rules and regulations for the time being in force regulating the provisions made in like cases for officers, non-commissioned officers and men of Her Majesty's Army and for their wives and families.

15. (1) Any officer or non-commissioned officer authorised by the Commissioner may take, or cause to be taken, and record for the purposes of identification the measurements, photograph and finger-print impressions of any person where he suspects that that person, from the nature or character of the offence with which he is charged, has been previously convicted or has been engaged in crime, or that his measurements and photograph and finger-print impressions (or any of them) are required in the interests of justice.

Measurements,  
photographs  
and  
fingerprints.

(2) If any person charged refuses to submit to the taking of his measurements or photograph or finger-print impressions, he may be taken before a magistrate and if the magistrate is satisfied that the suspicion of the officer is reasonably grounded on any of the considerations specified in subsection (1) he may make such order with respect to the taking of the measurements, photograph and finger-print impressions (or any of them) of such person as he shall think fit.

(3) Where any measurements, photograph and finger-print impressions (or any of them) 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, photograph and finger-print impressions shall be forthwith destroyed in the presence of an officer or handed over to such person.

### PART III

#### *Discipline, Returns, etc.*

16. (1) For the purpose of exercising the disciplinary control conferred by section 85(3) of the Constitution, the Commissioner, and any member of the Force to whom he has delegated his powers under section 85(4) of the Constitution, shall have all the powers of bringing offenders before them and of summoning and enforcing the attendance of witnesses and examining them upon oath or affirmation in respect of the offences which they are authorised to investigate as are possessed by a magistrate acting under the powers conferred upon him by the Magistrates' Act or any other law for the time being in force.

Summoning of  
witnesses, etc.  
Cap. 2.

(2) Every officer shall, so long as he is serving in Saint Vincent and the Grenadines, be an *ex officio* justice of the peace.

Cap. 24.

Offences and  
punishments.

17. (1) Any member of the Force of or below the rank of sergeant who is guilty of any of the following offences-

- (a) cowardice;
- (b) leaving his guard or post without authority;
- (c) sleeping on his post or beat;
- (d) mutinous conduct, or being accessory thereto;
- (e) assault on any member of the Force;
- (f) wilful disobedience;
- (g) insubordinate language or conduct;
- (h) desertion;
- (i) permitting the escape of a prisoner;
- (j) committing wilful damage to Government property;
- (k) making false statements, entries or returns;
- (l) gambling or betting in barracks;
- (m) absence without leave;
- (n) drunkenness at any time;
- (o) malingering;
- (p) breaking arrest or out of barracks;
- (q) wilful or negligent destruction of, or damage to any arms, clothing, or accoutrements or any other Government property;
- (r) pawning, losing, selling or making away with his arms, clothing, or accoutrements or any other Government property;
- (s) breach of any regulation or standing order;
- (t) conduct to the prejudice of good order and discipline;
- (u) loitering on duty;
- (y) neglect of duty;
- (w) breach of confidence;
- (x) corrupt practice,

may, on conviction by the Commissioner or any member of the Force delegated by him, be punished by any one of the following punishments-

- (i) fine not exceeding two hundred and fifty dollars;
- (ii) dismissal;
- (iii) reduction in rank;
- (iv) forfeiture of good conduct pay and badges, or of any benefit arising from the whole or any part of his past or future service;
- (v) cells, not exceeding fourteen days;
- (vi) confinement to barracks not exceeding twenty eight days, and such confinement shall involve the performance of ordinary duty and parades as well as fatigue duties.

(2) The cells referred to in subparagraph (v) shall be the cells at any police station.

(3) Where the Police Service Commission has, under section 84(7) of the Constitution (or under the corresponding provision of the 1969 Constitution), conferred powers of disciplinary control over members of the Force of a rank higher than sergeant, on a member of the Force, the provisions of this section shall apply to members of the Force of that rank.

(4) For the avoidance of doubt, no member of the Force to whom the Commissioner has delegated disciplinary control may, on conviction, order dismissal from the Force or reduction in rank.

18. (1) Where the Commissioner has delegated his powers under section 85(4) of the Constitution, any member of the Force who, in relation to his conviction or punishment, is dissatisfied with the decision of the member of the Force to whom the Commissioner has delegated his powers may, within seven days after the decision has been communicated to him and subject to the provisions of any regulations governing the same, appeal to the Commissioner who may make such order as the circumstances require.

Appeal.

(2) Any member of the Force who is dissatisfied with the decision or order of the Commissioner in any case involving reduction in rank or dismissal from the Force may, subject to any regulations governing the same, within seven days of the decision or order being communicated to him, appeal to the Public Service Board of Appeal.

(3) Every appeal under this section shall be deemed to have been made on delivery of the same by the appellant to his superior officer: and every appeal to the Public Service Board of Appeal shall be delivered to the Commissioner who shall forward it to the Board.

(4) The Commissioner may, without any appeal having been made to him, vary any punishment imposed by any member of the Force delegated by him to hear and determine any charges.

19. Any member of the Force charged with any serious offence under this Act or any regulations made hereunder, may be arrested or confined on the instructions of the senior member of the Force present at the time until he can be brought before the Commissioner or other member of the Force who has been delegated the powers of the Commissioner under section 85(4) of the Constitution.

Arrest of members of the Force.

Deserters.

**20.** Any member of the Force who is absent without leave for any period exceeding fortyeight hours, and any member who withdraws from duty before he is lawfully discharged from the Force, shall be deemed a deserter, and shall be liable to be punished accordingly; and any member of the Force or other person may, upon reasonable suspicion that any man is a deserter from, the Force, arrest him and bring him forthwith before the nearest officer of the Force, who shall, on it appearing to him that the accused is a deserter, cause him to be brought up in custody before the Commissioner or the senior officer of police in Saint Vincent and the Grenadines.

Enforcement of fines, etc.

**21.** Fines, penalties, forfeitures and stoppages imposed under this Act on any member of the Force for any offence under this Act or for the breach of any regulation, may be enforced by deducting the amount from any pay, allowance and emolument which may become due to the offender.

Monthly returns.

**22.** Every member of the Force to whom the Commissioner has delegated the power of disciplinary control shall, on the 1st of each month, furnish to the Commissioner a return of all crimes or offences committed by any member of the Force and investigated by him in the preceding month and stating the manner in which such offences have been disposed of.

Quarterly returns.

**23.** The Commissioner shall furnish to the Governor-General at the end of each quarter a return of all crimes or offences committed by members of the Force and the manner in which such offences or crimes have been disposed of.

Members not liable for irregularity of warrant.

**24.** (1) When action shall be brought against any member of the Force for any act done in obedience to the warrant of any magistrate or justice of the peace, the party against whom such action shall be brought shall not be responsible for any irregularity in the issuing of such warrant, or for any want of jurisdiction of the magistrate or justice of the peace issuing the same, but may give such warrant in evidence at the trial, and on proving that the signature thereto is the handwriting of the person whose name shall appear subscribed thereto and that such person was reputed to be and acted as a magistrate for the district or justice of the peace and that the act or acts complained of was, or were, done in obedience to such warrant, there shall be a verdict in such action for the defendant.

(2) It shall be the duty of the officer, non-commissioned officer or constable, if required so to do, in the execution of any

warrant to him directed to produce the same to the party or parties taken into custody thereunder, and to permit a copy thereof to be taken by him, or them, or on his, or their, behalf, either at the time of the capture or at any time afterwards while the warrant remains in his custody.

**25.** No member of the Force, after acquittal by a court of competent jurisdiction of any crime or offence, shall be punished on the same charge under this Act; and no member of the Force who has been convicted of any crime or offence by any such court, shall be liable to punishment for the same offence under this Act, otherwise than by a total loss of pay during imprisonment, by reduction, by dismissal or by the loss of such good conduct badges and good conduct pay as he may possess.

Members convicted by court not liable to further punishment.

## PART IV

*Reward Fund, Good Conduct Pay and Financial*

**26.** (1) All fines and penalties imposed on any non-commissioned officer or constable, or on any other person, under the authority of this Act, or under the regulations made hereunder, and all penalties and proportions of penalties awarded to any non-commissioned officer or constable on any summary conviction as the prosecutor of any information, shall be received by the Commissioner Police or by the senior officer of police for the time being in Saint Vincent and the Grenadines and shall be placed on deposit in the Treasury to a separate account to be called the "Police Reward Fund". The moneys of such Fund shall be appropriated for the payments of such reward or prizes or for other like purposes as the Commissioner may award and direct:

Reward Fund..

Provided always that where in any Act in force in Saint Vincent and the Grenadines it is enacted that any part or share or any seizure or forfeiture, or proceeds thereof, is, or may be, awarded to any person as prosecutor, informer or otherwise, and any such part or share is awarded to any non-commissioned officer or constable under any such enactment, such non-commissioned officer or constable shall have for his own personal use and benefit the share or portions so awarded to him as aforesaid.

(2) Any member of the Force who is dismissed from the Force shall forfeit all claims on the Police Reward Fund.

**27.** The Governor-General may direct the investment of any moneys belonging to the Police Reward Fund, or any portion thereof, in any manner he shall think proper, and the principal and interest of every such investment may be applied in like

Investment of Reward Fund.

manner and for the like purposes as the Police Reward Fund is by this Act in that behalf made applicable.

Good conduct pay and badges.

28. Every non-commissioned officer and constable of the Force shall, for continuous good service, be entitled to good conduct badges and pay thereafter at such rates and on such conditions as may be approved by the Governor-General and published in the Police Regulations:

Provided always that a member of the Force who has earned good conduct pay, on subsequently becoming entitled to a higher rate of such pay, shall not be entitled thereafter to both rates but only to the higher rate of pay.

Payment of extra expenses.

29. The Governor-General may direct, and the Accountant General shall, on the warrant of the Governor-General, make, payment of any extraordinary expenses which shall appear to have been necessarily incurred in detecting and apprehending offenders and executing the powers and duties given or imposed under this Act, such expenses being first certified by the officer or non-commissioned officer in charge of the district in which the same shall have been incurred and countersigned by the Commissioner of Police.

Payment while under arrest.

30. Whenever any non-commissioned officer or constable is suspended from duty or placed under arrest in respect of any offence for the commission of which he is subsequently dismissed from the Force, such non-commissioned officer or constable shall only be entitled to receive half-pay for the time during which he has been so suspended or placed under arrest: and pay shall, in every case, altogether cease as and from the day on which an appeal has been dismissed by the Public Service Appeal Board.

Pensions to be charged on Consolidated Fund.

31. There all be charged on and paid out of the Consolidated Fund as hereinafter provided all such sums of money as may be granted by way of pension, gratuity or other allowance in accordance with this Act to persons who have been in the Force.

Grant of pensions.

32. Subject to the provisions of this Act, every non-commissioned officer or constable of the Force who has served in the Force for ten years or upwards may be granted on his retirement a pension at the rate of one hundred and eighty seven hundred and twentieth of his pay, with an additional one seven hundred and twentieth for each completed month of service in excess of ten years:

33. Where a member of the Auxiliary Police is at the same time attached to the Force for a period of service which is full time and continuous in circumstances which that would not entitle him to a pension of gratuity under this Act and this period is immediately followed by enlistment as a non-commissioned officer or constable in the Force, such period of service may, with the approval of the Governor-General, be taken into account in computing his pension and gratuity under this Act.

Service in Auxiliary Police.

34. No pension shall be granted-

- (a) to any constable or non-commissioned officer of the Force below the rank of sergeant who has not either attained the age of fifty or served in the Force for twenty years; or
- (b) to any non-commissioned officer of or above the rank of sergeant of the Force who has not either attained the age of *fiftyfive* or served in the Force for twenty years;

Cases in which pensions may be granted.

unless on medical evidence, to the satisfaction of the Governor-General, that such non-commissioned officer or constable is incapacitated by reason of some infirmity of mind or body for further service in the Force and that such infirmity is likely to be permanent.

*Added by Act 34A. (2) 2019*

35. (1) When any non-commissioned officer or constable has served ten years or more and retires from, or otherwise leaves, the Force in circumstances that do not entitle him to be granted a pension under this Act, the Governor-General may, if his conduct while he served in the Force has been such as, in the opinion of the Governor-General, to justify favourable consideration, grant him such gratuity as the Governor-General thinks fit in the circumstances, but not exceeding the amount of his pay for his last completed year of service.

*Direct Service Pensionable*

Gratuities.

(2) Subject to the provisions of section 36, when a non-commissioned officer or constable of the Force who is not serving on probation and who has served in the Force for not less than five years dies whilst in the service of Saint Vincent and the Grenadines, the Governor-General may grant his legal personal representative a gratuity of an amount not exceeding one year's pensionable emoluments.

(3) Any non-commissioned officer or constable of the Force who has not completed ten years service in the Force may be granted a gratuity at the rate of half a month's pay for each complete six months of service, provided that the Governor-General is satisfied *nnnn merlirAl* evidence that *c,,rh*

non-commissioned officer or constable is incapacitated by reason of some infirmity of mind or body for further service in the Force, and that such infirmity is likely to be permanent, and provided also that the Commissioner certifies that such non-commissioned officer or constable has discharged his duties with such diligence and fidelity as to justify the grant to him of a gratuity.

Pension to dependents of non-commissioned officer and constable killed on duty.

36. (1) Where a non-commissioned officer or constable of the Force dies within seven years as a result of injuries received-

- (a) in the actual discharge of his duty;
- (b) without his own default; and
- (c) on account of circumstances specifically attributable to the nature of his duty, while in the service of the Government,

the Governor-General may grant, in addition to the grant, if any, made to his legal personal representative under section 35(2)-

- (i) if the deceased non-commissioned officer or constable leaves a widow, a pension to her, while unmarried and a good character, at a rate not exceeding ten-sixtieths of his annual rate of pay at the date of the injury, or seventy two dollars a year, whichever is the greater;
- (ii) if the deceased non-commissioned officer or constable leaves a widow to whom a pension is granted under paragraph (i) and a child or children, a pension in respect of each child, until such child attains the age of eighteen, of an amount not exceeding one-eighth of the pension prescribed under paragraph (i);
- (iii) if the deceased non-commissioned officer or constable leaves a child or children, but does not leave a widow, or no pension is granted to the widow, a pension in respect of each child, until such child attains the age of eighteen, of double the amount prescribed by paragraph (ii);
- (iv) if the deceased non-commissioned officer or constable leaves a child or children and a widow to whom a pension is granted under paragraph (i), and the widow subsequently dies, a pension in respect of each child as from the date of the death of the widow until such child attains the age of eighteen, of double the amount prescribed in paragraph (ii);
- (v) if the deceased non-commissioned officer or constable does not leave a widow, or if no pen-

sion is granted to his widow, and if his mother was wholly or mainly dependent on him for her support, a pension to the mother, while of good character and without adequate means of support, of an amount not exceeding the pension which might have been granted to his widow; if the deceased non-commissioned officer or constable does not leave a widow or mother, or if no pension is granted to his widow or mother, and if his father was wholly or mainly dependent on him for his support, a pension to the father, while of good character, of an amount not exceeding the pension which might have been granted to his widow;

- (vii) if the deceased non-commissioned officer or constable does not leave a child or children who is or are eligible for a pension under the provisions of this section, and, if any brother or sister was wholly or mainly dependant on him, for support, a pension in respect of any such brother or sister of the same amount and subject to the same conditions as the pension which might have been granted in respect of a child under paragraphs (ii), (iii) and (iv):

Provided that-

- (a) pension shall not be payable under this subsection at any time in respect of more than six children or in respect of a legitimate child born later than nine months after the date of the injury;
- (b) in the case of a pension under paragraph (v), if the mother is a widow at the time of the grant of the pension and subsequently remarries such pension shall cease as from the date of remarriage;
- (c) a pension granted to a female child under this section shall cease upon marriage of such child under the age of eighteen;
- (d) in the case of a pension granted under paragraphs (v), (vi) or (vii), if it appears to the Governor-General at any time that the mother and father, or any brother or sister is adequately provided with other means of support, such pension shall cease as from such date as the Governor-General may determine.

(2) For the purposes of this section, the following words have in relation to a deceased non-commissioned officer or con-

stable the meanings respectively assigned to them-  
 "brother" includes every male child of his father or of his mother;  
 "child" includes-  
 (i) a posthumous child;  
 (ii) a step-child or child born out of wedlock born before the date of the injury and wholly or mainly dependent upon him for support; and  
 (iii) an adopted child, adopted in a manner recognised by law, before the date of the injury, and dependent as aforesaid;  
 "father" includes his step-father and a male person by whom he has been adopted;  
 "mother" includes his step-mother and a female person by whom he has been adopted;  
 "sister" includes every female child of his father or of his mother.

(3) If a non-commissioned officer or constable proceeding by a route approved by the Governor-General to or from Saint Vincent and the Grenadines at the commencement or termination of his service therein, or of a period of leave there- dies as the result of damage to the vessel, aircraft or vehicle in which he is travelling, or of any act of violence directed against such vessel, aircraft or vehicle, and the Governor-General is satisfied that such damage or act is attributable to circumstances arising out of any war in which Her Majesty, in right of Her Government in Saint Vincent and the Grenadines may be engaged, such non-commissioned officer or constable shall be deemed, for the purpose of this section, to have died in the circumstances described in subsection (1):

Provided that this subsection shall not apply in the case of a non-commissioned officer or constable who is eligible to receive an award under subsection (4).

(4) A non-commissioned officer or constable who dies as a result of injuries received while travelling by air in pursuance of official instructions shall be deemed to have died in the actual discharge of his duty and on account of circumstances specifically attributable to the nature of his injuries; and if his injuries were not also due to his own default the rates of pension prescribed in subsection (1) (i) and (ii) shall be fifteen-sixtieths and one-sixth respectively.

Allowance in case of injury.

37. When, upon medical evidence, the Governor-General is satisfied that a non-commissioned officer or constable of the Force or a rural constable has been permanently injured-

- (a) in the actual discharge of his duty;
- (b) without his own default; and
- (c) by some injury specifically attributable to the nature of his duty;

and the retirement of such non-commissioned officer or constable is thereby necessitated or materially accelerated, the Governor-General may, in addition to the pension, if any, receivable by such non-commissioned officer or constable under this Act, grant to him such annual allowance as the Governor-General thinks fit, but so that any allowance hereby granted, together with the pension awarded, shall not exceed two-thirds of his pay, and in the case of a rural constable may grant to him such yearly allowance or remuneration as may be proportionate to the injury received.

38. (1) Every non-commissioned officer or constable of the Force who, on the 27th November 1947, became or who, hereafter becomes eligible for pension under the provisions of this Act may elect to take on his retirement a reduced pension and gratuity in lieu of the pension provided for by this Act.

Reduced pension and gratuity.

(2) Every non-commissioned officer or constable of the Force who, on the 27th November 1947, became eligible for pension shall notify the Governor-General of his election within six months of the 1st January, 1949, and every non-commissioned officer or constable who may hereafter become eligible may notify the Governor-General of his election at any time during the period in which he is becoming eligible for a pension and not later than one month after the date on which he shall have so become eligible.

(3) An election once exercised shall be irrevocable.

39. Reduced pension shall be a pension equal to three-fourths of the amount of pension which would be payable under this Act, including any allowance granted under section 37, and a gratuity shall be the amount which one-fourth of the pension payable under this Act, including such allowance, when multiplied by twelve and one-half shall represent.

Definition of reduced pension and gratuity.

40. (1) Every constable and non-commissioned officer below the rank of sergeant shall retire from the Force on attaining the age of fifty.

Compulsory retirement.

(2) Every non-commissioned officer of the rank of sergeant and above shall retire from the Force on attaining the age of fifty-five:

Provided that the Governor-General may require such non-commissioned officer to retire from the Force at any time after attaining the age of fifty.

41y8

Pension not of right.

(3) The Governor-General may extend the period of service of constables and non-commissioned officers beyond the ages mentioned in subsections (1) and (2).

41. No non-commissioned officer or constable of the Force shall have an absolute right to compensation for past service, or to any pension, gratuity or other allowance under this Act, nor shall anything herein limit the right of the Crown to dismiss any such non-commissioned officer or constable without compensation.

Pension not assignable.

42. No pension granted under this Act shall be assignable or transferable or liable to be attached, sequestered or levied upon, for or in respect of any debt or claim whatsoever.

ion o cease on conviction.

43. If any non-commissioned officer or constable to whom a pension is granted under this Act is convicted before any court in the Commonwealth of any crime or offence for which he is sentenced to death or penal servitude or any term of imprisonment exceeding twelve months and does not, within two months after such conviction receive a free pardon, then in every such case such pension shall forthwith cease:

Provided always that in the case of a non-commissioned officer or constable who after conviction as described above receives a free pardon at any time, the Governor-General may restore the pension.

Pension to cease on bankruptcy.

44. If any non-commissioned officer or constable to whom a pension has been granted under this Act becomes a bankrupt, then such pension shall cease forthwith:

Provided always that in any case where a pension ceased by reason of the bankruptcy of the pensioner, the Governor-General may, during the remainder of such pensioner's life or during such shorter period or periods, either continuous or discontinuous, pay all or any part of the moneys to which such pensioner would have been entitled by way of pension had he not become bankrupt to, or apply the same for the maintenance and personal support or benefit of, all or any, exclusive of the other or others, of the following persons, namely such pensioner and any wife, child or children of his, in such proportions and manner as the Governor-General thinks proper.

Pensions Act not to apply to non-commissioned officers and constables. Cap. 204.

45. The Pensions Act shall not apply to any non-commissioned officer or constable in the Force, except such as are, or shall be, appointed to any office which is, or shall be, declared to be a pensionable office within the meaning of that Act.

46. Sections 43 to 49 inclusive of the Police Act, 1947, as they read immediately before the 31st December 1951, shall, notwithstanding their repeal by the Pensions (Amendment) Act, 1951, apply to any non-commissioned officer or constable serving in the Force on the 31st December 1951, who notified the Governor in writing within six months after such date of his desire that the provisions of those sections should apply to him, in which case they shall continue to apply accordingly.

Saving of sections 43 to 49 of Police Act, 1947. Act 22 of 1951.

47. Where a non-commissioned officer or constable who holds a pensionable appointment under this Act has been transferred from the police service to other pensionable employment under the Government, his service as such non-commissioned officer or constable shall, on his retirement, be taken into account in computing his pension or gratuity:

Service prior to transfer to be taken into account for pension purposes.

Provided that the service in respect of which a pension or gratuity may be granted shall form one continuous period.

PART V

Rural Constables, Special Constables and Auxiliary Police Force

48. (1) In addition to the regular Force, the Governor-General may appoint any persons, with their consent, to be rural constables on or in any town, plantation village or district.

Rural constables.

(2) Every rural constable shall make the declaration hereinbefore provided for members of the regular Force, but shall make it before the magistrate of the district wherein he resides, and after making it he shall have full authority to perform the duties of a constable, and shall for disobedience of orders or improper conduct be liable to the same penalties to which constables of the regular Force are liable.

(3) The magistrate before whom the declaration is made shall forthwith give the person who has made it a certificate that he has been duly appointed a rural constable; and each magistrate shall keep in his office a record of all persons who have made the declaration before him.

(4) Every rural constable when called upon to perform public duty shall be entitled to be paid such sum as shall be fixed by the Governor-General.

(5) The Governor-General may at any time dismiss any rural constable.

(6) All district constables employed on the 1st January 1948, shall be deemed to be employed as rural constables under this Act.

Appointment of special constables.

**49.** The Governor-General may, at any time that he thinks it expedient in the public interest so to do, appoint fit and proper persons to be special constables to act as such for the preservation of the peace, and may at any time cancel any appointment so made.

General powers, etc., of special constables.

**50.** Every special constable shall, during his term of office, have all such powers, authorities, and immunities, and be subject to all such duties and responsibilities as are conferred or imposed upon a member of the Force, and shall, on appointment, take and subscribe before a justice of the peace the oath here following, that is to say-

"I, \_\_\_\_\_, do swear that I will well and truly serve Our Sovereign Lady the Queen in the office of special constable in Saint Vincent and the Grenadines without favour or affection, malice or ill will, and that I will cause Her Majesty's peace to be preserved, and will prevent to the utmost of my power offences against the same. So help me God."

Arms, etc.; special constables.

**51.** (1) Every special constable shall be provided by the Commissioner at the public expense, with such badge, staff, weapons or other accoutrements as may be necessary, and such badge, staff, weapons or other accoutrements shall be returned to the Commissioner or such other officer at such time and place as he may direct.

(2) Any special constable who wilfully neglects or refuses to make such return as is required by subsection (1) is guilty of an offence and liable to a fine of fifteen hundred dollars.

(3) Any magistrate or justice of the peace may issue his warrant to search for and seize all such weapons, articles or accoutrements which are not so delivered over wherever the same may be found and to arrest the person in whose possession the same may be found.

Direction of special constables.

**52.** Special constables shall be under the orders of such officers as may be appointed to command them by the Governor-General and, in the absence of any such appointment, shall be under the orders of the Commissioner.

Offences by special constables.

**53.** Any person appointed to be a special constable who, without reasonable cause, refuses or neglects to take the prescribed oath when called upon so to do by any justice of the peace, or who refuses or neglects to serve when called upon so to do, or to obey any lawful command, is guilty of an offence and liable to a fine of one thousand dollars.

**54.** The Governor-General is authorised to pay from the Consolidated Fund such sums as he may deem reasonable for the services and expenses of special constables.

Remuneration of special constables.

**55.** There shall be established in Saint Vincent and the Grenadines a supplemental body of police styled the "Saint Vincent and the Grenadines Auxiliary Police Force" (hereinafter referred to as the 'Auxiliary Police') which may be called out for service by the Commissioner-

Saint Vincent Grenadines Auxiliary Police Force.

- (a) in any case when additional police are required for the preservation of good order, and
- (b) for purposes of drill and training.

**56.** (1) The Commissioner shall have the general command of the Auxiliary Police.

Command and composition.

(2) The Auxiliary Police shall consist of such officers, non-commissioned officers and constables as the Commissioner, with the approval of the Governor-General, may direct.

(3) The officers of the Auxiliary Police shall be appointed by the Governor-General.

(4) The officer appointed to direct command of the Auxiliary Police shall be styled "Commandant" and his rank for the purpose of section 63(2) shall be equivalent to Deputy Commissioner.

(5) The Commissioner may appoint fit and proper persons to be non-commissioned officers and constables of the Auxiliary Police.

**57.** Every person who-

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

Qualifications for appointment.

may, on the recommendations of the Commandant, be appointed a constable in the Auxiliary Police.

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

Precept of appointment and oath.

(2) The precept shall be in the following form-

To \_\_\_\_\_  
of \_\_\_\_\_  
I,

Commissioner of Police, under and by virtue of the power and authority in me vested, hereby appoint you to be a \_\_\_\_\_ of the Saint Vincent and the Grenadines Auxiliary Police Force,

and I do issue to you this precept authorising you to act as such.  
Dated <sup>this</sup> day of

Commissioner of Police

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

I, \_\_\_\_\_ of \_\_\_\_\_ do swear that I will well and truly serve Our Sovereign Lady the Queen as a member of the Auxiliary Police Force for Saint Vincent and the Grenadines. So help me God.

Equipment.

**59.** Every member of the Auxiliary Police shall be provided with a short manual describing the powers and duties of the Auxiliary Police, a badge, a baton and such clothing and other equipment as may be approved by the Commissioner. (Such badge shall be *Prima facie* evidence that the officer, non-commissioned officer or constable is a member of the Auxiliary Police.) The cost of these articles of clothing and equipment shall be defrayed from such funds as may be provided by Parliament.

Revocation of appointment.

**60.** The appointment of any member of the Auxiliary Police may be revoked at any time-

- (a) by the Governor-General in the case of officers;
- (b) by the Commissioner in other cases.

Resignation.

**61.** Any member of the Auxiliary Police may, except when called out for service, resign from the Auxiliary Police by giving to the Governor-General in the case of officers, and to the Commissioner in other cases, one month's notice in writing:

Provided that the Commissioner may, in such other cases, dispense with such notice and that a member may be allowed to resign even though he has been called out for service if a recommendation in that behalf has been made by the Commissioner and has been approved by the Governor-General.

jurisdiction of officers.

**62.** (1) The Commissioner, or any officer of the Auxiliary Police Force deputed by him for the purpose shall, subject as is hereinafter provided, have and possess power and jurisdiction to hear and determine all charges against a non-commissioned officer or constable to the Auxiliary Police for the offences mentioned in section 17 and to inflict on any such non-commissioned officer or constable who is found guilty of any of the said offences, one of the following punishments, namely-

- (a) admonishment.

- (b) reprimand;
- (c) fine not exceeding fifty dollars;
- (d) reduction in rank:

Provided that any non-commissioned officer or constable of the Auxiliary Police who is dissatisfied with the decision of the Commissioner or of any officer deputed by the Commissioner in any case involving reduction in rank, may appeal from such decision in like manner and with like consequences as is provided in section 18.

(2) For this purpose the Commissioner and every officer so deputed by him shall have the same powers as are possessed by them under section 16(l).

(3) The provisions of section 96 of the Criminal Code shall apply to any such proceedings. Cap. 124

**63.** (1) Every member of the Auxiliary Police shall have, exercise and enjoy the same powers, authorities, advantages and immunities as a member of the Force and, when called out for service, be liable to the same duties and responsibilities: Authority and pay.

Provided that when he is exercising the powers and authorities conferred by this Act every such member shall declare himself to be a member of the Auxiliary Police, unless at such time he is wearing Auxiliary Police uniform.

(2) Every member of the Auxiliary Police when called out for service by the Commissioner under the provisions of section 55 shall be paid for his services from such monies as may be provided by Parliament, at the same rate as a member of the Force of equivalent rank.

**64.** Every member of the Auxiliary Police who resigns, or otherwise ceases to be a member of the Auxiliary Police, shall within one week of his ceasing to be a member, return to the Commissioner his precept, baton, badge and other equipment issued to him, or pay the value thereof. Surrender of precept and equipment.

**65.** (1) Any member of the Auxiliary Police who, when called out for service, neglects or refuses to obey any lawful command is guilty of an offence and liable to a fine of five hundred dollars. Offences.

(2) Any member of the Auxiliary Police who-

- (a) improperly lends, sells, pledges or otherwise disposes of, damages or spoils any equipment issued to him at public expense while a member of the Auxiliary Police; or
- (b) fails, without lawful excuse, to return any such equipment or to pay the value thereof as required

by the provisions of section 64,  
is guilty of an offence and liable to a fine of two hundred and fifty dollars.

(3) Any person who impersonates, or in any way pretends to be, a member of the Auxiliary Police is guilty of an offence and liable-

(a) on conviction on indictment, to imprisonment for two years; and

(b) on summary conviction, to a fine of two thousand five hundred dollars and to imprisonment for six months.

(4) Any person who is found in possession of any badge, baton, equipment or clothing provided for the use of a member of the Auxiliary Police is, in the absence of a reasonable excuse, guilty of an offence and liable to a fine of five hundred dollars.

Illness, bodily injury and death.

**66.** (1) Where any member of the Auxiliary Police, through no fault of his own, contracts any illness or sustains any bodily injury while in the actual discharge of his duties as such, although he has not been called out under section 55 or detailed for duty by a superior officer, he shall be provided with medicines, medical comforts and medical attendance at the public expense on the written authority of the Commissioner.

(2) Where any member of the Auxiliary Police sustains bodily injury in the circumstances specified in subsection (1) and is permanently disabled (either totally or partially) as a result thereof, the Governor-General may grant him a pension or gratuity, the amount of which shall be subject to the approval of the House of Assembly.

(3) Where the bodily injury results in death, the Governor-General may award to the dependents (including any children born out of wedlock to whose support the deceased was contributing) a pension or gratuity, the amount of which shall be subject to the approval of the House of Assembly.

(4) Members of the Auxiliary Police, while serving as such, shall not be regarded as workmen for the purposes of the Workmen's Compensation Act.

Cap. 156.

Saving.

**67.** Every person who, at the 2nd February, 1954, was either a member of the Special Reserve Police or a member of the Saint Vincent Auxiliary Police shall be deemed to have been appointed, and to be, a member of the Saint Vincent and the Grenadines Auxiliary Police Force and to have taken the oath of office prescribed for a member of the Auxiliary Police prescribed under this Act.

**68.** The provisions of sections 71 and 72 shall not apply to special constables nor to members of the Auxiliary Police.

Non-application 71 and 72.

PART VI

*Miscellaneous*

**69.** (1) Any person who-

(a) has in his possession any clothing, arms, ammunition, accoutrements or other appointments, furnished for the use of the Force and does not account satisfactorily for the possession thereof;

(b) not being a member of the Force, wears, puts on or assumes, without the permission of the Commissioner, the dress, name, designation or description of any member of the Force, or any dress having the appearance or bearing any of the distinctive marks of the uniform of the Force;

(c) knowingly harbours, entertains, or either directly or indirectly sells or gives any intoxicating liquor to, any member of the Force while on duty, or permits him to remain in his house without lawful excuse; or

(d) refuses to aid or assist any member of the Force when lawfully called upon by such member to do so;

is guilty of an offence and liable to a fine of two hundred and fifty dollars:

Provided that the provisions of paragraph (b) shall not prevent persons from wearing any uniform or dress in the course of a stage play or music hall or circus performance.

(2) Any person who-

(a) assists or conceals any deserter from the Force, knowing him to be such;

(b) puts on or assumes the dress, name, designation or description of any member of the Force in such a manner or under such circumstances as to be likely to bring contempt upon that uniform, or employs any other person so to wear that uniform; or

(c) assaults or resists, or incites any other person to assault or resist, any member of the Force in the execution of his duty,

is guilty of an offence and liable to imprisonment for six months.

**70.** Any person who-

(a) causes, or does any act calculated to cause, disaffection amongst members of the Force;

offences in connection with members of the Police.

Causing disaffection.

(b) induces, or does any act calculated to induce, any member of the Force to withhold his services or to commit breaches of discipline, is guilty of an offence and liable-

- (i) on conviction on indictment, to imprisonment for two years; and
- (ii) on summary conviction, to a fine of two thousand five hundred dollars and to imprisonment for three months,

and in either case, if a member of the Force, shall forfeit all pension rights and be disqualified from being a member of the Force.

Police Welfare Association.

71. (1) For the purpose of enabling non-commissioned officers and constables of the Force to consider and bring to the notice of the Commissioner and the Governor-General all matters affecting their general welfare and efficiency, there shall be established, in accordance with rules to be made by the Governor-General, an organisation, to be called the Police Welfare Association (hereinafter referred to as the Association), which shall act through boards and a central committee as provided in the rules.

(2) With the exception of questions relating to discipline or promotion, representations may be made by the Association on all matter where a question of principle is involved.

(3) The Association shall be entirely independent of and unassociated with any body outside the Force.

Prohibition of membership of trade unions.

72. (1) Subject to the provisions of section 71, no member of the Force shall be or become a member of any trade union nor of any association having for its objects, or one of its objects, to control or influence the pay, pensions or conditions of service of the Force.

(2) Any member of the Force who contravenes the provisions of subsection (1), after having been warned in writing, shall be disqualified from continuing to be a member of the Force and shall be dismissed therefrom, and in addition may forfeit all pension rights to which he may have been eligible.

Decision of Governor-General.

73. If any question arises whether any body is a trade union or an association to which section 72 applies, the question shall be determined by the Governor-General.

Regulations.

74. The Commissioner may make such regulations, to be named the "Police Regulations", as he may think expedient, and not inconsistent with the provisions of this Act, relative to-

- (a) the organisation, classification, distribution, and discipline of members of the Force;
- (b) the leave of absence to be granted to members of the Force;
- (c) the giving of credit to non-commissioned officers and constables;
- (d) the description of arms, accoutrements and other necessaries to be furnished to them;
- (e) the administration of the Police Reward Fund; and
- (f) all such other regulations relative to the Force, and the duties of members of the Force as the Commissioner shall from time to time deem expedient for preventing abuse or neglect of duty, and for rendering the Force efficient in the discharge of its duties.

(2) No such regulations shall have the force of law until they have been approved by the Governor-General and published in the Gazette.

75. (1) If any person who has been appointed to the Force is dismissed from, or ceases to belong to, the Force, all powers and authorities vested in him shall immediately cease and determine, and every non-commissioned officer and constable shall forthwith, after he has been dismissed from, or ceased to belong to, the Force, deliver over all and every the arms, ammunition, accoutrements, uniform and other appointments which may have been supplied to him for the execution of his office to such person and at such time and place as shall be directed by the officer or non-commissioned officer under whose command he was at the time of his dismissal or ceasing to belong to the Force.

Members retiring or dismissed to deliver up uniform, etc.

(2) Any person who fails to comply with the provisions of subsection (1) is guilty of an offence and liable to a fine of five hundred dollars.

(3) A magistrate may issue his warrant to any constable to search for and seize, to the use of the Crown, all and every the arms, ammunition, accoutrements, uniform and other appointments which shall not be so delivered wherever the same may be found.

76. If any goods or money charged to be stolen or fraudulently obtained are in the custody of any member of the Force by virtue of any warrant of a magistrate or otherwise in the execution of his duty, and the person charged with stealing or obtaining possession is not found or is duly convicted on such charge or charges, the magistrate may make an order for the

Delivery of owner,

delivery of such goods or money to the person who appears to be the rightful owner thereof or, in case the owner cannot be ascertained, may order such goods, within a reasonable time, to be sold publicly and the proceeds thereof, together with any moneys so in the custody of any member of the Force, shall form part of the Police Reward Fund.

[Booklet 1]

## LAWS OF SAINT VINCENT AND THE GRENADINES

REVISED EDITION 1990

**CHAPTER 280**

## POLICE REGULATIONS

**Booklet 1**

S.R.O. 110 of 1948

amended by

S.R.O. 97 of 1950

S.R.O. 40 of 1960

S.R.O. 22 of 1965

\*The Court Order, 1967

\*Act 35 of 1968

\*S.R.O.16 of 1971

\*Act 3 of 1978

\*The Constitution

\*S.R.O.38 of 1980

\*Act 20 of 1987

S.R.O. 33 of 1988

S.R.O. 3 of 1989

S.R.O. 13 of 1990

Act 1 of 1991