

CHAPTER 330

THE POLICE WELFARE ASSOCIATION RULES

Arrangement of Rules Rule

1. Short title.
2. Constitution.
3. Board.
4. Functions of Board.
5. Election to Board.
6. Vacancies.
7. Mode of Making Representations.
8. Facilities for Meeting.

S.R.O. (L.I.) 14/1949.
S.R.O. 21/1957.

THE POLICE ACT

*THE POLICE WELFARE ASSOCIATION RULES, MADE BY
VIRTUE OF SECTION 67(1) OF THE POLICE ACT. CAP. 84
(1927 REVISION)

1. SHORT TITLE. These Rules may be cited as the Police Welfare
Association Rules.

2. CONSTITUTION. The Police Welfare Association (hereinafter in
these Rules referred to as “the Association”) shall consist of the members
of the Force below the rank of Assistant Superintendent and the Association
shall act through a Board as is hereinafter provided.

**Saved by section 63 of the Police Act, Cap. 330.*

3. BOARD. (1) For the purpose of these Rules there shall be constituted a Board consisting of not more than six members of the Force who shall be elected in the month of January in each year; of these members, one shall be either an inspector or a sergeant, two shall be corporals and three shall be constables.

(2) The members of the Board shall hold office until the Board for the succeeding year has been duly constituted.

(3) The members of the Board shall by ballot choose from among their number a Chairman and a Secretary.

(4) The Chairman shall preside at all meetings of the Board and shall have a second or casting vote.

(5) The Board shall hold its first meeting (hereinafter called "the annual meeting") not later than in the month of February and thereafter meetings may be held as often as circumstances may require.

(6) The quorum of the Board at any meeting shall be three.

4. FUNCTIONS OF BOARD. It shall be the duty of the Board to consider and make representations with regard to all matters affecting the general welfare and efficiency of the members of the Force and of the Force as a whole.

5. ELECTION TO BOARD. (1) Every member of the Force as aforesaid shall have the right to vote at the election of members to the Board.

(2) All such elections shall be by secret ballot under the supervision of a commissioned officer of the Force.

(3) At any election under these Rules each voter may give one vote and no more for each of any number of candidates not exceeding the number to be elected.

6. VACANCIES. On any vacancy occurring in the Board during any year another member shall be elected as herein provided to fill the vacancy so occurring.

7. MODE OF MAKING REPRESENTATIONS. Representations may be made by resolution or petition in writing submitted by the Secretary to the Commissioner of Police and/or the Governor-General through the proper channels, i.e. through the Governor-General's aide-de camp.

8. FACILITIES FOR MEETING. Every opportunity and facility shall be given to members of the Force to attend meetings of the Association and every attendance at a meeting shall, as regards allowances and expenses, be deemed to be an occasion of police duty.

THE POLICE REGULATIONS

Arrangement of Regulations Regulation

PART I

PRELIMINARY

1. Short title.
2. Application.
3. Interpretation.

PART II

OFFENCES AND DISCIPLINE

4. Kinds of Offences.
5. Offences Created by the Act.
6. Disciplinary Offences created by these Regulations.
7. Trial and Determination of Disciplinary Offences Created by these Regulations.
8. Open and Close Arrest.
9. Appeals.
10. Pay During Suspension, Etc.

PART III

PAY AND ALLOWANCES

11. Rates of Pay.
12. Increments.
13. Good Conduct Pay.
14. Proficiency Pay.
15. Charge Pay.
16. Detective Allowance.
17. Plain Clothes Allowance.

18. Outfit Allowance.
19. Motor Transport Driver's Allowance.
20. Band Allowance.
21. Transfer Allowance.
22. Subsistence Allowance.
23. Refreshment Allowance.
24. Lodging Allowance.
25. Fees for Special Duties.

PART IV

LEAVE AND LEAVE PASSAGES

26. Vacation Leave.
27. Leave Certificates.
28. Over-Staying Leave.
29. Weekly Rest Day.
30. Liberty Leave.
31. Over-Night Leave to Married Subordinate Police Officers and Constables.
32. Plain Clothes to be worn on Leave.
33. When Leave is not Granted.
34. Sick Leave.
35. Leave Passages.
36. Passages on Termination of Service.
37. Passages for Widows and Dependants of Deceased Officers.

PART V

UNIFORMS, BADGES AND EQUIPMENT

38. Uniforms to be Worn.
 39. Uniforms.
 40. Distinguishing Badges.
 41. Descriptions.
 42. Clothing and Equipment for Gazetted Police Officers.
 43. Equipment for Inspectors.
 44. Equipment for Subordinate Police Officers and Constables.
 45. Inspections.
 46. Equipment.
 47. Government Property.
 48. Variation of Dress.
- FIRST SCHEDULE.
- SECOND SCHEDULE.
- THIRD SCHEDULE.
- FOURTH SCHEDULE.
- FIFTH SCHEDULE.
- _____

S.R.O. 15/1959.
S.R.O. 16/1960.
S.R.O. 8/1967.
S.R.O. 29/1977.
S.R.O. 36/1977.

THE POLICE ACT

THE POLICE REGULATIONS MADE UNDER SECTION 71 OF
THE POLICE ACT.

PART I

PRELIMINARY

1. SHORT TITLE. These Regulations may be cited as the Police Regulations.

2. APPLICATION. These Regulations shall not apply to Gazetted Police Officers except as provided in regulations 6, 11, 18, 21, 34 (5), 38, 39, 40, 41, 42 and 48 but shall apply to Inspectors, subordinate police officers and constables of the Force.

3. INTERPRETATION. (1) In these Regulations—

“the Act” means the Police Act;

“the Association” means the Police Welfare Association established under section 62 of the Act;

“constable”, “Force”, “Gazetted Police Officer”, “Medical Board” and “subordinate police officer” have respectively the same meanings as are ascribed to them in the Act;

“Force Standing Order” means a standing order for the Force issued in writing by the Commissioner of Police and applicable to the Force as a whole;

“government medical officer” means a registered medical practitioner who holds a post in the government service or a registered medical practitioner to whom an Inspector, subordinate police officer or constable has been instructed by the Commissioner of Police to present himself for medical examination;

“pay” has the same meaning as is ascribed to it in section 42 in Part V of the Act;

“Schedule” means Schedule to these Regulations;

“Station Officer” means the officer in charge of a police station;

“Station Standing Order” means a standing order for a particular station in the Force issued by the Commissioner of Police.

(2) The Interpretation Act shall apply to the interpretation of these regulations in like manner as it applies to the interpretation of an Act.

PART II

OFFENCES AND DISCIPLINE

4. KINDS OF OFFENCES. Offences may be of two kinds, namely—

(a) offences created by the Act; and

(b) disciplinary offences created by this Part of these Regulations.

5. OFFENCES CREATED BY THE ACT. The offences created by the Act are to be found in sections 32 and 33 of the Act and relate to mutinous or seditious conduct by a police officer, and causing disaffection in the Force. These offences are triable only by a court and the method of trial of such offences and the punishments which may be imposed therefor are such as are prescribed by the said sections.

6. DISCIPLINARY OFFENCES CREATED BY THESE REGULATIONS. The disciplinary offences created by this Part of these Regulations are—

(a) discreditable conduct, that is to say, if a member of the Force acts in a disorderly manner or in any manner prejudicial to discipline or likely to bring discredit on the reputation of the Force;

(b) insubordinate or oppressive conduct, that is to say, if a member of the Force—

(i) is insubordinate by word, act or demeanour; or

(ii) is guilty of oppressive or tyrannical conduct towards an inferior in rank; or

(iii) uses obscene, abusive or insulting language to any other member of the Force; or

- (iv) wilfully or negligently makes any false complaint or statement against any member of the Force; or
- (v) assaults any other member of the Force; or
- (vi) withholds any complaint or report against any member of the Force;

(c) disobedience to orders, that is to say, if a member of the Force disobeys or without good or sufficient cause omits or neglects to carry out any lawful order, written or otherwise;

- (d) neglect of duty, that is to say, if a member of the Force—
 - (i) neglects, or without good or sufficient cause omits, promptly and diligently to attend to or carry out anything which is his duty as a police officer; or
 - (ii) idles or gossips while on duty; or
 - (iii) fails to work his beat in accordance with orders, or leaves his beat, traffic point, or other place of duty to which he has been ordered, without due permission or sufficient cause; or
 - (iv) by carelessness or neglect permits a prisoner to escape; or
 - (v) fails, when knowing where any offender is to be found, to report the same, or to make due exertions for making him amenable to justice; or
 - (vi) fails to report any matter which it is duty to report; or
 - (vii) sleeps on his post or beat; or
 - (viii) fails to report anything which he knows concerning a criminal charge, or fails to disclose any evidence which he, or any person within his knowledge, can give for or against any prisoner or defendant to a criminal charge; or
 - (ix) omits to make any necessary entry in any official document or book; or
 - (x) neglects, or without good or sufficient cause omits, to carry out the instructions of a government medical officer following a medical examination or, while absent from duty on account of sickness, is guilty of any act or conduct calculated to retard his return to duty;

-
- (e) making false statements or falsifying and mutilating books and documents, that is to say, if a member of the Force—
- (i) wilfully and knowingly makes any false statement; or
 - (ii) knowingly makes or is privy or party to the making of any false entry, or with intent to mislead makes any alteration or erasure in any book of complaint, station diary, record, book or other document kept in the normal course of official duty; or
 - (iii) wilfully mutilates or destroys any book of complaint, station diary, record, book, return or other document kept in the normal course of duty;
 - (f) breach of confidence, that is to say, if a member of the Force—
 - (i) divulges any matter which it is his duty to keep secret; or
 - (ii) gives notice, directly or indirectly, to any person against whom any warrant or summons has been or is about to be issued, except in the lawful execution of such warrant or service of such summons; or
 - (iii) without proper authority communicates to the public press, or to any authorized person, any matter connected with the Force; or
 - (iv) without proper authority shows to any person outside the Force any book or printed document the property of the police authorities; or
 - (v) makes any anonymous communication to the Commissioner of Police or any other superior officer;
 - (g) corrupt practice, that is to say, if a member of the Force—
 - (i) receives any bribe; or
 - (ii) fails to account for or to make a prompt and true return of any money or property seized or received by him in his official capacity; or
 - (iii) without the knowledge and permission of the Commissioner of Police accepts directly or indirectly any gratuity, present or reward in respect of anything done in the discharge of the duties of his office; or
 - (iv) places himself under pecuniary obligation to any person who holds a licence concerning the granting or renewal of which the police may have to report or give evidence; or

-
- (v) improperly uses his character and position as a member of the Force for his private advantage;
 - (h) unlawful or unnecessary exercise of authority, that is to say, if a member of the Force—
 - (i) without good or sufficient cause makes any unlawful or unnecessary arrest; or
 - (ii) uses any unnecessary violence to any prisoner or other person with whom he may be brought into contact in the execution of his duty;
 - (i) malingering, that is to say, if a member of the Force feigns or exaggerates any sickness or injury with a view to evading duty;
 - (j) absence without leave or being late for duty, that is to say, if a member of the Force, without reasonable excuse is absent without leave from, or is late for, parade, court, or any other duty;
 - (k) uncleanness, that is to say, if a member of the Force, while on duty or while off duty in uniform in a public place is improperly dressed or is dirty or untidy in his person, clothing or equipment;
 - (l) damage to clothing or other articles supplied, that is to say, if a member of the Force—
 - (i) wilfully or by carelessness causes any waste, loss or damage to any arms, article of clothing or equipment, uniform, or to any book, document or other property supplied to him, or used by him, or entrusted to his care, or entrusted to the care of any other member of the Force; or
 - (ii) fails to report any loss or damage as above however caused;
 - (m) drinking on duty or soliciting drink, that is to say, if a member of the Force—
 - (i) without the consent of a superior officer, drinks, or receives from any other person, any intoxicating liquor while he is on duty; or
 - (ii) demands, or endeavours to persuade any other person to give him, any intoxicating liquor while he is on duty;
 - (n) entering licensed premises where liquor is stored or distributed while on duty, that is to say, if a member of the Force enters any premises licensed under the liquor licensing laws, or any other premises where liquors are stored or distributed, when his presence there is not required in the execution of his duty;

(*o*) incurs debt without any reasonable prospect or intention of paying the same, or having incurred any debt, makes no reasonable effort to pay the same;

(*p*) gambling or betting in barracks;

(*q*) breaking arrest or out of barracks;

(*r*) appropriates to his own use, loses by neglect, or makes away with any arm, ammunition, article of clothing or equipment, uniform or other article supplied to him, or to any other police officer, or any Government property committed to his charge;

(*s*) breach of any Force Standing Order, or Station Standing Order;

(*t*) conviction for a criminal offence, that is to say, if a member of the Force has been found guilty by a court of law of a criminal offence;

(*u*) being an accessory to a disciplinary offence, that is to say, if a member of the Force connives at or is knowingly an accessory to any offence against discipline.

For the avoidance of doubt it is hereby declared that the offences referred to in paragraphs (*o*) to (*s*) are disciplinary offences if they are committed by a member of the Force.

7. TRIAL AND DETERMINATION OF DISCIPLINARY OFFENCES CREATED BY THESE REGULATIONS. A charge or complaint in respect of any of the offences specified in regulation 6 shall be heard and determined in compliance with Regulations made under the Act.

8. OPEN AND CLOSE ARREST. (1) When an Inspector, subordinate police officer or constable is placed under—

(*a*) open arrest, he shall not quit barracks (except on duty or with special permission) and will be deprived of all privileges and leave until his case has been disposed of. He shall attend all parades and do duty as required;

(*b*) close arrest, he shall be confined in the lock-up of the station at which he may be at the time; but close arrest shall not be ordered (except if whilst he is under arrest he is guilty of continued violence or misconduct) unless confinement is necessary for his safe custody or for the maintenance of discipline. His whistle, baton, arms and ammunition, if he has them, shall at once be given up by him to the officer by whom he is arrested.

(2) An Inspector, subordinate police officer or constable placed under close arrest shall not be so detained for a longer period than twenty-four hours, unless the Commissioner of Police, or in his absence, the Gazetted Police Officer in charge of the Force otherwise directs. The charge or complaint shall without unnecessary delay be investigated and if such charge or complaint be not so investigated after the expiration of twenty-four hours the Inspector, subordinate police officer or constable shall be released and shall return to the performance of his duties pending trial, unless in the opinion of the Commissioner of Police, or the said Gazetted Police Officer, such a course would be injurious to proper discipline, in which case he shall be confined to barracks until his case is dealt with.

9. APPEALS. Any Inspector, subordinate police officer or constable who is dissatisfied with a decision on any of the disciplinary offences mentioned in regulation 6 with which he is charged may appeal therefrom in the manner provided by the Constitution.

10. PAY DURING SUSPENSION, ETC. Any Inspector, subordinate police officer or constable against whom any complaint, information or charge is laid in respect of an offence to which reference is made in paragraph (a) or paragraph (b) of regulation 4 may pending, and until the final determination of such complaint, information or charge, be dealt with in such manner, and shall receive such pay, as may be prescribed in section 37 of the Act.

PART III

PAY AND ALLOWANCES

11. RATES OF PAY. The rates of pay of Gazetted Police Officers, Inspectors, subordinate police officers and constables shall be the rates of pay approved by the Governor-General from time to time and provided in the annual Estimates of Antigua and Barbuda.

12. INCREMENTS. (1) When an Inspector, subordinate police officer or constable is on an increment scale of pay, the Commissioner of Police shall, one month before the annual increment becomes due for payment, consider whether he can sign a certificate to the effect that the Inspector, subordinate police officer or constable has served with efficiency, diligence and fidelity during the past year.

(2) If the Commissioner of Police is able to approve the grant of the increment to such Inspector, subordinate police officer or constable, he shall sign his certificate to this effect.

(3) When the certificate is signed, the original certificate shall be attached to the next pay voucher on which pay is authorized and shall constitute authority for payment of the increment and the duplicate shall be retained by the Commissioner for attachment to the record of the Inspector, subordinate police officer or constable.

(4) If for any reason the Commissioner is unable to approve recommend the grant of the increment to such Inspector, subordinate police officer or constable, he shall give detailed reasons and record his decisions as to whether the increment due should be suspended, deferred or stopped in accordance with the provisions of the Act.

(5) The increment shall be suspended, deferred or stopped for such period as the Commissioner of Police may decide and the Inspector, subordinate police officer or constable shall be informed of the decision and given the detailed reasons therefor:

Provided that any Inspector, subordinate police officer of constable who is dissatisfied with any decision given in his case under this paragraph shall have the right of appeal as if his case came within the relevant provisions of the Constitution.

13. GOOD CONDUCT PAY. (1) Subordinate police officers and constables whose conduct has been satisfactory and who have not been punished for any offence involving a fine exceeding one dollar and twenty cents, or confinement to barracks for a period exceeding fourteen days, or confinement to cells, or reduction in rank, or forfeiture of good conduct badge, or who have not been severely reprimanded on two or more occasions in any one year shall be eligible to receive Good Conduct Pay on the following conditions—

- (a) after three years continuous good service 6 cents a day;
- (b) after a further period of three years continuous good service 9 cents a day;
- (c) after a further period of three years continuous service ... 12 cents a day;

Provided that if any subordinate police officer or constable in receipt of Good Conduct Pay is severely reprimanded on two or more occasions in any one year he shall not become eligible for any increase in the rate of Good Conduct Pay until a period of three years has elapsed from the date of the last severe reprimand.

(2) Subordinate police officers and constables in receipt of Good Conduct Pay shall be entitled to wear the Good Conduct Badge on the left forearm of the tunic between the cuff and the elbow.

14. PROFICIENCY PAY. (1) Constables who have passed the proficiency examination, have had three years service, are in possession of the Good Conduct Badge and who hold a valid First Aid Certificate shall be eligible for Proficiency Pay at the rate of forty-eight dollars per annum: Provided that not more than twenty-five per cent. of the total establishment of constables shall be paid Proficiency Pay at the same time:

Provided further that no constable who is in receipt of a Motor Transport Drivers' Allowance or other technical allowance shall be eligible to receive Proficiency Pay.

(2) A constable who is adversely reported upon shall, if the report be substantiated, be liable to be deprived of his Proficiency Pay on the decision of the Commissioner of Police for such period as the Commissioner of Police may decide. At the expiration of such period of deprivation, the constable shall be eligible to be restored to the waiting list for Proficiency Pay.

(3) Subordinate police officers and constables who have passed the proficiency examination shall be entitled to wear a star on the left hand sleeve of the tunic above the First Aid Badge.

15. CHARGE PAY. Subordinate police officers appointed to the posts specified below shall be eligible to receive Charge Pay at the rate of ninety-six dollars per annum—

Senior Sergeant, St. John's;
Subordinate police officer in charge of immigration;
Subordinate police officer in charge of the Fire Brigade, St. John's
Subordinate police officer in charge of Coolidge Police Station;
Subordinate police officer in charge of the Fire Brigade, Coolidge;
Subordinate police officer in charge of All Saints District;
Subordinate police officer in charge of Bolans District;
Subordinate police officer in charge of Parham District;
Subordinate police officer in charge of Barbuda District;
Subordinate police officer in charge of Stores, St. John's;
Licensing Clerk, St. John's;
Clerk to the Commissioner of Police.

16. DETECTIVE ALLOWANCE. Inspectors, subordinate police officers and constables who are appointed to duties as detectives in the detec-

tion of crime shall be eligible to receive a Detective Allowance at the rate of twenty-four cents a day.

17. PLAIN CLOTHES ALLOWANCE. Subordinate police officers and constables who are appointed to duties as detectives in the detection of crime shall be eligible to receive a Plain Clothes Allowance at the rate of forty-three dollars and twenty cents per annum.

18. OUTFIT ALLOWANCE. An Outfit Allowance of two hundred and forty dollars shall be paid to every Gazetted Police Officer on his first appointment as a Gazetted Police Officer.

19. MOTOR TRANSPORT DRIVER'S ALLOWANCE. Subordinate police officers and constables who are appointed to duties specified below, who are placed in charge of four-wheeled transport and who have been certified by the Commissioner of Police as competent to carry out normal running repairs to motor vehicles shall be eligible to receive a Motor Transport Driver's Allowance at the rate of sixty dollars per annum—Orderly to His Excellency the Governor-General;
Orderly to the Commissioner of Police;
Transport Driver, St. John's Police Station;
Transport Driver, Fire Brigade, St. John's;
Transport Driver, Fire Brigade, Coolidge.

20. BAND ALLOWANCE. Subordinate police officers and constables who are appointed to serve as members of the Police Band shall be eligible to receive a Band Allowance at the rate of twenty-eight dollars and eighty cents per annum.

21. TRANSFER ALLOWANCE. (1) Gazetted Police Officers, Inspectors, subordinate police officers and constables who are permanently transferred from Antigua to Barbuda shall be eligible to receive Transfer Allowance at the following rates—

(i) Gazetted Police Officers and Inspectors	\$120.00
(ii) subordinate police officers and constables	\$ 96.00

(2) Inspectors, subordinate police officers and constables who are permanently transferred from one station to another within Antigua shall be eligible to receive a transfer allowance of forty five dollars.

(3) Gazetted Police Officers, Inspectors, subordinate police officers and constables who are on temporary transfer from Antigua to Barbuda and from one station to another within Antigua shall not be eligible for

allowance but shall be eligible for subsistence allowance in accordance with regulation 22.

(4) No Transfer Allowance or subsistence allowance shall be payable—

(a) in the case of a transfer from one station to another within the same Police District; and

(b) in the case of a temporary transfer when the Inspector, subordinate police officer or constable himself continues to reside at his normal place of residence.

(5) Notwithstanding anything contained in paragraphs (1), (2) and (3) Transfer Allowance shall not be paid in the case of transfers which are made at the request of a subordinate police officer or constable or as a result of misconduct or disciplinary proceedings.

22. SUBSISTENCE ALLOWANCE. (1) Inspectors, subordinate police officers and constables shall be eligible to receive subsistence allowances in accordance with the following provisions when absent from their permanent stations on duty, when such absences necessarily involve absence from their permanent stations overnight—

(a) when absent on duty within Antigua and Barbuda—

Inspectors\$14.00 a night
Senior Sergeants, Sergeants, Corporals and Constables

(i) when not accommodated in barracks\$12.00 a night

(ii) when accommodated in barracks\$ 6.00 a night

(b) when absent on duty outside Antigua and Barbuda but within the Commonwealth Caribbean area—

Inspectors there shall be refunded actual hotel or boarding house expenses for board and lodging and subsistence allowance shall be paid at the rate of \$15.00 a night;

Sergeants, Corporals, (i) when not accommodated in barracks there shall be refunded actual hotel or boarding house expenses for board and lodging and a subsistence allowance shall be paid at the rate of \$10.00 a night;

(ii) when accommodated in barracks a subsistence allowance of \$15.00 a night;

in all cases in respect of any period not exceeding twenty-one nights and the rates to be paid in the currency of the territory visited.

(2) In respect of any period of absence which exceeds twenty-one nights, the rates of subsistence allowances mentioned in paragraph (1) shall be reduced by one-third after the twenty-first night.

(3) Where an Inspector, subordinate police officer or constable is required to proceed on duty outside the Commonwealth Caribbean area, the rates of subsistence allowance payable shall be determined by the Commissioner of Police in the light of the circumstances.

(4) Where an Inspector, subordinate police officer or constable is required to proceed on a course of training or study, the rates of subsistence allowance payable shall be those laid down specifically for the course of training or study in question.

(5) For the purpose of this regulation, an Inspector, subordinate police officer or constable shall be deemed to have been absent from his permanent station overnight if he is unable to return to his permanent station by midnight.

23. REFRESHMENT ALLOWANCE. Where a subordinate police officer or constable is required to proceed on duty away from his permanent station and where such absence precludes his return to his permanent station within a period of not less than six consecutive hours such subordinate police officer or constable shall be eligible for a Refreshment Allowance at the rate of seven dollars in respect of each such absence.

24. LODGING ALLOWANCE. Inspectors, subordinate police officers and constables who are married and who are permitted by the Commissioner of Police to live out of the barracks and are not occupying official quarters shall be eligible for a Lodging Allowance in accordance with the following rates—

Inspectors	\$240.00 per annum
Sergeants	\$180.00 per annum
Corporals	\$144.00 per annum
Male Constables	\$120.00 per annum
Female Constables	\$ 96.00 per annum

25. FEES FOR SPECIAL DUTIES. (1) Subordinate police officers and constables who are assigned to special duties in connection with private functions such as dances, cinemas, race meetings and games or in a ship at the request of the captain or agent shall be eligible to receive payment at the following rates—

- (a) between the hours of one dollar for each hour or part 6 a.m. and 6 p.m. thereof of such duty;
- (b) between the hours of one dollar and fifty cents for each 6 p.m. and 6 a.m. hour or part thereof of such duty.

(2) Such duties shall only be assigned to subordinate police officers and constables who are off duty or are on rest day and shall not be performed by subordinate police officers and constables in barracks.

PART IV

LEAVE AND LEAVE PASSAGES

26. VACATION LEAVE. (1) Inspectors, subordinate police officers and constables shall be eligible for vacation leave at the following rates and such vacation leave may be accumulated up to the maximum amounts indicated—

Inspectors	42 days per annum, which may be accumulated up to a maximum of 168 days;
Senior Sergeants and Sergeants	36 days per annum, which may be accumulated up to a maximum of 144 days;
Corporals	24 days per annum, which may be accumulated up to a maximum of 96 days;
Constables	21 days per annum, which may be accumulated up to a maximum of 84 days;

Provided that vacation leave shall only be granted when the exigencies of the Service permit:

Provided further that no Inspector, subordinate police officer or constable shall be eligible for any compensation if it should not be possible to grant him the vacation leave for which he is eligible under this regulation or if it should be necessary to recall him from vacation leave before the expiration of the vacation leave granted to him.

(2) Vacation leave shall only be granted in respect of resident service on duty:

Provided that any absence on sick leave not exceeding six months in any year or any absence on vacation leave not exceeding thirty days shall for the purpose of this paragraph be regarded as resident service.

(3) An Inspector, subordinate police officer or constable who is recalled to duty before the vacation leave granted to him has expired or who cannot be granted the full amount of vacation leave for which he is eligible shall be permitted to carry forward the unexpired portion of such vacation leave to a future occasion.

(4) An Inspector, subordinate police officer or constable who is granted vacation leave under this regulation shall, before proceeding on leave of absence, leave his full address with the Station Officer.

27. LEAVE CERTIFICATES. (1) An Inspector, subordinate police officer or constable who is granted vacation leave shall be provided with a leave certificate on which shall be specified the period for which the leave is granted. Such certificate shall be produced when the holder is called upon to do so by any member of the Force of superior rank to himself.

(2) On his return from leave, the Inspector, subordinate police officer or constable shall return the leave certificate to the Commissioner of Police for record.

28. OVER-STAYING LEAVE. (1) Any Inspector, subordinate police officer or constable who fails without reasonable cause to return to duty at his station on the day following the date on which his leave expires shall, subject to the provisions of paragraph (3), forfeit his pay for such day or days that he has over-stayed his leave, in addition to any punishment to which he may be liable.

(2) Unless otherwise stated on the leave certificate, the time of resumption of duty shall be six o'clock in the morning of the day immediately following the last day of leave.

(3) If leave is over-stayed by less than six hours, the Inspector, subordinate police officer or constable shall be liable to disciplinary action. If the period overstayed is more than six hours, the Inspector, subordinate police officer or constable shall forfeit one day's pay.

29. WEEKLY REST DAY. All Inspectors, subordinate police officers and constables shall be eligible for one day free from duty in every seven days.

30. LIBERTY LEAVE. (1) The senior officer on duty at the time shall have the power to grant liberty leave of not more than four hours duration after duty to any well-conducted subordinate police officer or constable who is not required as a reserve in barracks.

(2) A subordinate police officer or constable who is granted liberty leave shall, before leaving his station, inform the officer on duty of his whereabouts and where he can be found if required.

31. OVER-NIGHT LEAVE TO MARRIED SUBORDINATE POLICE OFFICERS AND CONSTABLES. Married subordinate police officers and constables may be granted short leave daily after duty if they are not required for duty or as reserves in barracks. Such leave may be granted by the senior officer on duty at the station who shall satisfy himself that the required reserve is at all times available in barracks.

32. PLAIN CLOTHES TO BE WORN ON LEAVE. Unless they have special permission to wear uniform, all Inspectors, subordinate police officers and constables on vacation leave shall wear plain clothes.

33. WHEN LEAVE IS NOT GRANTED. Absence on vacation leave, liberty leave and over-night leave shall not be granted to any Inspector, subordinate police officer or constable who—

- (a) is under punishment;
- (b) is charged with an offence which has not been finally decided;
- (c) is required as prosecutor or witness in any case pending before a court of justice unless he is able to return from leave in time to attend such a case.

34. SICK LEAVE. (1) Sick leave on full pay may be granted by the Commissioner of Police to any Inspector, subordinate police officer or constable for a period not exceeding twenty-one days on the production of a medical certificate signed by a government medical officer:

Provided that sick leave shall not be granted under this regulation for periods which exceed in the aggregate forty-two days in any year.

(2) Where a period of sick leave granted under paragraph (1) expires and the Inspector, subordinate police officer or constable is not fit to resume duty, further sick leave on full pay may be granted by the Commissioner of Police on the production of a certificate signed by a government medical officer for a period which shall not exceed in the aggregate three months including any period of sick leave previously granted under paragraph (1).

(3) Any Inspector, subordinate police officer or constable who has been on continuous sick leave for a period of three months shall be required to present himself for examination by a Medical Board consisting of not less than two government medical officers.

(4) On the recommendation of a Medical Board, an Inspector, subordinate police officer or constable in whose case the Medical Board certifies that there is reasonable prospect of eventual recovery may be granted further sick leave with full pay up to a maximum period, including any period of sick leave granted under paragraphs (1) and (2), of six months in any year:

Provided that, if the illness or incapacity is due to an injury received or illness suffered by such Inspector, subordinate police officer or constable in the actual discharge of his duty and without his own default and is on account of circumstances specifically attributable to the nature of his duties, he shall be entitled to be granted further sick leave with full pay, beyond the period mentioned in paragraph (4), for a period not exceeding six months in any period of twelve months until the Medical Board certifies him as fit to return to duty or recommends his discharge from the Force on medical grounds:

Provided further that in every other case such Inspector, subordinate police officer or constable shall be entitled to be granted further sick leave with half pay, beyond the period mentioned in paragraph (4), for a period not exceeding six months in any period of twelve months until the Medical Board certifies him as fit to return to duty or recommends his discharge from the Force on medical grounds.

(5) The provisions of paragraph (4) shall apply to Gazetted Police Officers as they apply to Inspectors, subordinate police officers and constables except that for the reference to paragraphs (1) and (2) there shall be substituted a reference to General Orders 225 and 226 of the General Orders for the Civil Service of Antigua and Barbuda.

35. LEAVE PASSAGES. Inspectors, subordinate police officers and constables shall be eligible for the grant of leave passages or for proportionate leave passage grants on the terms and conditions laid down in the General Orders for the Civil Service of Antigua and Barbuda.

36. PASSAGES ON TERMINATION OF SERVICE. An Inspector, subordinate police officer or constable who has retired from the Force shall, if he so desires, be provided with passages for himself, his wife and children, up to a maximum of four passages in addition to his own, to the place where he was recruited or to any part of the Leeward Islands or the

Caribbean together with the reasonable cost of transporting his household and personal effects:

Provided that no such passages or expenses shall be provided after a lapse of six months from the date of retirement:

Provided further that no such passages or expenses shall be met in the case of an Inspector, subordinate police officer or constable who has been dismissed from the Force.

37. PASSAGES FOR WIDOWS AND DEPENDANTS OF DECEASED OFFICERS. Where an Inspector, subordinate police officer or constable dies whilst in the service of the Force, his widow and dependent children who are unmarried and under the age of eighteen years shall be provided with passages to the place of recruitment of such Inspector, subordinate police officer or constable or to any part of the Leeward Islands or to the place of birth of the widow and the reasonable expenses of transporting the widow's household effects and the personal effects of the widow and dependent children shall be met from public funds.

PART V

UNIFORMS, BADGES AND EQUIPMENT

38. UNIFORMS TO BE WORN. (1) Gazetted Police Officers, Inspectors, subordinate police officers and constables shall wear the uniform and equipment prescribed in the First Schedule. The pattern of uniform prescribed in the said Schedule shall be rigidly adhered to and no deviation whatever shall be permitted.

(2) Except as provided in regulation 32 relating to the wearing of plain clothes when on leave, all Inspectors, subordinate police officers and constables shall invariably appear in uniform.

39. UNIFORMS. The uniforms and occasions on which they are to be worn shall be as specified in the First Schedule.

40. DISTINGUISHING BADGES. Gazetted Police Officers, Inspectors, subordinate police officers and constables shall wear the distinguishing marks and badges specified in the Second Schedule.

41. DESCRIPTIONS. The several articles of uniform prescribed in the Schedules shall conform strictly to the approved patterns.

42. CLOTHING AND EQUIPMENT FOR GAZETTED POLICE OFFICERS. On first appointment Gazetted Police Officers shall provide themselves with the clothing and equipment specified in the Third Schedule.

43. EQUIPMENT FOR INSPECTORS. On first appointment Inspectors shall be supplied on loan at public expense with the equipment and clothing specified in the Fourth Schedule.

44. EQUIPMENT FOR SUBORDINATE POLICE OFFICERS AND CONSTABLES. (1) Subordinate police officers and constables shall be supplied with the arms, uniform and equipment specified in the Fifth Schedule.

(2) Every subordinate police officer and constable shall be supplied with a box according to approved pattern and marked with his name and number in white letters one and a half inches long.

(3) Subordinate police officers and constables shall keep all articles issued to them constantly clean and serviceable and shall report to a superior officer any loss of or damage to any article issued to them.

45. INSPECTIONS. At musters and inspections of kit, the arms and articles of equipment and clothing issued to subordinate police officers and constables shall be laid out in such manner as may be prescribed from time to time by the Commissioner of Police.

46. EQUIPMENT. New equipment will not be issued so long as serviceable articles are available and new issues will not be made unless replacement is essential.

47. GOVERNMENT PROPERTY. All arms, equipment and clothing provided at the public expense shall remain the property of the Crown and the subordinate police officers and constables to whom they are issued will be responsible for the proper care of them and for handing over the several articles of their equipment on the termination of their employment or when ordered to do so by a superior officer. They will be liable to make good by stoppage from pay any damage to or loss of any arms, equipment or clothing otherwise than by fair wear and tear or through injury sustained in the performance of duty, unless they can show that such loss or damage did not arise from their own default or negligence.

48. VARIATION OF DRESS. Notwithstanding anything to the contrary in these Regulations, strict adherence to the dress and uniforms

prescribed in the Schedules on the several occasions mentioned therein shall not be required and the badges of rank prescribed in the Second Schedule and the equipment prescribed in the First and Third Schedules, when not available, may be dispensed with.

FIRST SCHEDULE

rr. 38 & 39

UNIFORM AND OCCASIONS ON WHICH IT IS TO BE WORN

GAZETTED POLICE OFFICERS

Uniform

Occasions

NO. 1—FULL DRESS.

White tunic.
Blue overalls with buff stripe.
Wellington boots.
Spurs.
Shoulder belt and pouch.
Sword belt and slings.
Sword with steel scabbard.
Silver sword knot.
White helmet with spike, badge
and chain.
Full size medals.
Blue and white hackle.

Guards of honour, ceremonial parades,
church parades or other occasions
when specially ordered.

NO. 2—SERVICE DRESS.

Khaki tunic.
Blue lanyard.
Khaki trousers.
White shirt and collar.
Navy blue tie.
Black Sam Browne equipment.
Socks.
Black Sam Browne or cloth belt
(as ordered).
Blue forage cap.
Black shoes.
Medal ribbons.

Drill parades, other duties when so
ordered.

LAWS OF ANTIGUA AND BARBUDA

24

CAP. 330)

Police

Uniform

Occasions

No. 3—WORKING DRESS.

Khaki bush tunic.

Khaki shorts.

Blue lanyard.

Blue cap.

Black Sam Browne or cloth belt

(as ordered).

Black shoes.

Khaki stockings (blue tops).

Medal ribbons.

Ordinary duties.

No. 4—BLUE DRESS.

Blue tunic.

Blue trousers.

Black shoes.

Helmet or cap (as ordered).

Black Sam Browne (or cloth) belt

(as ordered).

Black socks.

Medal ribbons.

On duty at night or in wet weather as ordered.

No. 5—MESS DRESS.

White mess jacket.

Blue cummerbund.

Blue overalls with buff stripe.

Half Wellingtons.

Miniature medals.

Official evening functions, e.g. at

Government House, dances and

entertainments (as ordered), Naval

and Military Guest nights.

INSPECTORS

No. 1—FULL DRESS—As for

Officers but minus spurs.

Overalls with black mohair braid.

No. 2—SERVICE DRESS.

No. 3—WORKING DRESS.

No. 4—BLUE DRESS.

No. 5—MESS DRESS.

As for Officers except overalls.

LAWS OF ANTIGUA AND BARBUDA

Police

(CAP. 330

25

Uniform

Occasions

SUBORDINATE POLICE OFFICERS AND CONSTABLES

NO. 1—FULL DRESS.

White tunic.
Blue trousers with white stripe.
Black boots.
Waist belt.
Side arms.
Helmet, spike and chain.
Medals.

Guards of honour, ceremonial parades,
or other occasions when specially
ordered.

NO. 2—WORKING DRESS—Items to be worn as ordered.

White tunic.
Blue trousers with white stripe.
White helmet.
White cap cover (as ordered).
Black boots.
Blue cap.
Waist belt.
Baton.
Medal ribbons.
Grey shirts with short sleeves.
Blue trousers with white stripe.
Blue forage cap.
Blue shorts.
Blue puttees.

Ordinary duties.

To be worn when so ordered.

NO. 3—DRILL ORDER.

Grey shirt.
Blue trousers with white stripe.
Black boots.
White helmet or cap as ordered.

Drill parades.

NO. 4—BLUE DRESS.

Blue tunic.
Blue trousers with white stripe.
Black boots.
White helmet or cap (as ordered).
Waist belt.
Baton.
Shoes—rubber soled canvas
(optional—when ordered).

On duty at night or in wet weather (as
ordered)

LAWS OF ANTIGUA AND BARBUDA

26

CAP. 330)

Police

Uniform

Occasion

No. 5—CYCLING DRESS.

Men riding bicycles on duty are permitted, if they so desire, to wear blue shorts and grey shirts with white helmet or blue cap.

SECOND SCHEDULE

r.40

1.—BADGES OF RANK

(a) *Gazetted Police Officers*

For Commissioner	Cross Tip Staves, Crown.
For Deputy Commissioner	Cross Tip Staves and two Stars.
For Assistant Commissioner	Cross Tip Staves and one Star.
For Superintendent	Crown.
For Senior Assistant Superintendent	Three Stars.
For Assistant Superintendent	Two Stars.

(b) *Inspectors and Subordinate Police Officers*

For Inspector	Two Bars.
For Senior Sergeants	Crown over three silver chevrons.
For Sergeants	Three silver chevrons.
For Corporals	Two silver chevrons.

2.—GOOD CONDUCT BADGES

Miniature chevrons, silver metal, to be worn on the left forearm between the cuff and the elbow.

3.—MUSKETRY BADGES

- (a) Crossed rifles, silver on blue cloth.
- (b) The same with crown above, when awarded, to be worn on the left forearm between the cuff and the elbow above the good conduct badges if any.

4.—SIGNAL BADGES

Crossed flags, silver on blue cloth, to be worn as in 3 above. When both Musketry and Signal Badges are worn the signal badge should be above.

LAWS OF ANTIGUA AND BARBUDA

Police

(CAP. 330

27

5.—FIRST AID BADGES

As issued by the St. John Ambulance Brigade. To be worn on the left sleeve of both shirt and tunic.

6.—PROFICIENCY PAY STAR

To be worn above First Aid Badge.

THIRD SCHEDULE

r.42

EQUIPMENT AND CLOTHING FOR GAZETTED POLICE OFFICERS

- 1 Service revolver.
- 1 Black holster.
- 1 Sword (infantry pattern).
- 1 Steel scabbard for sword.
- 1 Black leather scabbard for sword.
- 1 Cross belt.
- 1 Sword with sling.
- 1 Sword knot, silver.
- 1 Black Sam Browne equipment.
- 1 Water bottle and sling.
- 1 Blue lanyard and whistle.

New equipment will not be issued when returned serviceable articles are available.

Buttons, badges or rank and jacket lapels as required.

- 1 Blue serge tunic.
 - 1 Blue patrol jacket.
 - 1 Pair blue serge trousers.
 - 1 Pair blue serge overalls.
 - 3 White drill tunics.
 - 2 White drill mess jackets.
 - 1 Blue cummerbund.
 - 1 Water-proof coat.
 - 2 Khaki drill jackets.
 - 2 Pairs khaki drill trousers.
 - 4 Khaki bush tunics and cloth belt.
 - 4 Pairs khaki drill shorts.
 - 1 White helmet, Wolsey, spike and chain.
 - 1 Blue cloth cap.
 - 1 Pair black Wellington boots (parade) with spur boxes.
 - 1 Pair Wellington boots (mess).
 - 1 Pair spurs for parade Wellingtons.
 - 1 Pair spurs for mess Wellingtons.
-

FOURTH SCHEDULE

r.43

UNIFORM AND EQUIPMENT TO BE SUPPLIED ON LOAN AT PUBLIC EXPENSE TO INSPECTORS

<i>Articles</i>	<i>Issue</i>	<i>Remarks on periods of issue and wear</i>
<i>1.—Arms</i>		
Service Revolver	1	During service
Holster	1	" "
Sword (infantry pattern)	1	" "
Scabbard (steel)	1	" "
Scabbard (black leather)	1	" "
<i>2.—Equipment</i>		
Cross belt	1	Every 10 years
Sword belt with sling	1	" "
Sword knot (silver)	1	" "
Black Sam Browne equipment	1	" "
Haversack	1	Every 4 years
Water bottle and sling	1	Every 5 years
Whistle and chain	1	Every 10 years
<i>3.—Head-dress</i>		
Helmet (white, Officer's pattern)	1	Every 5 years
Cap (blue, Officer's pattern)	1	" "
<i>4.—Clothing</i>		
Jacket (blue serge, fine)	1	every 3 years
Blue lanyard	1	" "
Trousers (blue serge, fine)	2	" "
Overalls (blue with straps)	1	Every 10 years
Jackets (white drill)	3	As required
Mess jacket (white drill)	1	" "
Cape (blue)	1	Every 5 years
Jackets (khaki drill)	-	As required
Trousers (khaki drill)	-	" "
Khaki shorts	-	" "
Bush tunics	-	" "
Khaki stockings with blue tops	-	" "
<i>5.—Shoes</i>		
Black Balmoral	1 pr.	Annually

LAWS OF ANTIGUA AND BARBUDA

Police

(CAP. 330

29

FIFTH SCHEDULE

r.44

ARMS, UNIFORM AND EQUIPMENT OF SUBORDINATE POLICE
OFFICERS AND CONSTABLES

<i>Articles</i>	<i>Issue</i>	<i>Remarks on periods of issue and wear</i>
<i>1.—Arms</i>		
Rifle, S.L.E. (with sling)	1	During service
Bayonet and scabbard	1	" "
<i>2.—Equipment</i>		
Waist belt	1	Every 10 years
Frog	1	" "
Baton	1	" "
Whistle and chain	1	" "
Haversack	1	Every 4 years
Kit bag	1	" "
Water bottle and sling	1	Every 5 years
<i>3.—Head-dress</i>		
Helmet (white)	1	As required (average serviceable wear 5 years)
Cap (blue)	1	Every 2 years
Cap covers (white)	2	As required
Cap covers (waterproof)	2	As required (average period of wear 4 years)
<i>4.—Clothing</i>		
Jackets (blue serge)	1	Annually
Trousers (blue serge)	3	" "
Cape (blue cloth)	1	As required (average period of wear 8 years)
Boots (black)	-	As required (not more than 2 pairs annually)
Rank chevron and good conduct badges	-	As required (average period of wear 3 years).

THE POLICE ACT (PRESCRIBED FEE FOR POLICE REPORTS)
ORDER, MADE BY THE MINISTER UNDER SECTION 23 (2)
OF THE POLICE ACT.

1. SHORT TITLE. This Order may be cited as the Police Act
(Prescribed Fee for Police Reports) Order.

2. PRESCRIBED FEE. There shall be paid by every person to the
Commissioner of Police for the Treasury, a fee of \$EC 50.00 for each police
report applied for.

3. COMMENCEMENT. This Order is deemed to have come into
force on the 1st day of January, 1990.

Made this 10th day of January, 1990.

THE POLICE (DISCIPLINE) REGULATIONS

Arrangement of Regulations
Regulation

1. Short title.
 2. Interpretation.
 3. Disciplinary offences.
 4. Investigation of charges.
 5. Formulation of charge.
 6. Documents to be supplied to accused.
 7. Witnesses.
 8. Procedure at hearing.
 9. Hearing.
 10. Attendance of complainant at hearing.
 11. Decision of Commission.
 12. Reference to accused's personal record in considering punishment.
 13. Limitations on punishment.
 14. Right of Appeal.
 15. Review.
 16. Suspension.
- SCHEDULE.
-

S.R.O. 32/1967.
S.R.O. 19/1977.
S.R.O. 28/1981.

THE POLICE (DISCIPLINE) REGULATIONS, DATED 22ND
AUGUST, 1967, MADE UNDER SECTION 34 OF THE POLICE
ACT.

1. SHORT TITLE. These Regulations may be cited as the Police
(Discipline) Regulations.
2. INTERPRETATION. (1) In these Regulations—

“offence” means one or more of the offences set out in the Schedule to these Regulations.

(2) The “Commission” means the Police Service Commission established by the Constitution and in these Regulations references to the Commission shall include a reference to a person or authority to whom the powers of appointment, removal and disciplinary control have been duly delegated under the Constitution.

3. DISCIPLINARY OFFENCES. A member of the Force commits an offence against discipline if he commits one or more of the offences set out in the Schedule to these Regulations.

4. INVESTIGATION OF CHARGES. (1) When a report, allegation or complaint is received by the Commissioner of Police from which it appears that a member of the Force may have committed an offence, the matter shall be referred to an investigating officer who shall cause it to be investigated.

(2) Subject to paragraph (3) the investigating officer shall be such member of the Force of or above the rank of Sergeant as may be designated by the Commissioner of Police for the purpose.

(3) The investigating officer shall be a member of the Force other than the person to whom authority may be delegated to hear the charge.

5. FORMULATION OF CHARGE. (1) The investigating officer shall, as soon as is practicable (without prejudicing his or any other investigation of the matter), investigate the charge and shall decide whether the member of the Force shall be charged with an offence and, if he decides that the member shall be so charged, the Investigating Officer shall, as soon as possible, enter on a discipline form the offence with which the member is to be charged and such particulars as will leave no doubt as to the precise nature of the alleged offence.

(2) A discipline form shall be in such form as may be prescribed by the Commission and until such form is prescribed the discipline form now in use with such modifications as may be necessary shall continue to be used.

6. DOCUMENTS TO BE SUPPLIED TO ACCUSED. (1) Where a member of the Force is to be charged with an offence, he shall, as soon as possible, be supplied with a copy of the discipline form entered up in accordance with regulation 5 (and such other document as the Commission may direct).

(2) The accused shall be free to state in writing whether he admits or denies the charge.

7. WITNESSES. (1) The accused shall be free to state in writing the names and addresses of any witnesses to relevant facts whose attendance at the hearing of the case he wishes the Commission to take steps to secure.

(2) Any such witness who is a member of the Force shall be ordered to attend at the hearing of the case and any other such witness shall be given due notice that his attendance is desired and of the time and place of the hearing.

8. PROCEDURE AT HEARING. (1) The accused shall be ordered to appear at the hearing of the case.

(2) The Commission shall hear the case.

(3) The case against the accused shall be presented by a member of the Force designated by the Commissioner of Police.

(4) If the accused does not admit the charge, the hearing shall proceed as if he denied the charge.

(5) Before the case against the accused is presented the accused may submit that the facts alleged in the charge are not such as to constitute the offence with which he is charged and the Commission, if they accept that submission, shall dismiss the charge to which the submission relates.

(6) The accused may conduct his defence either in person or by a member of the Force or by Counsel.

(7) A record of the proceedings at the hearing of the case shall be taken, and if a punishment is imposed and the accused contemplates an appeal, at his request made within the period during which the notice of appeal may be given, a transcription of the record shall be made and a copy thereof supplied to him.

9. HEARING. (1) The hearing of all cases shall be in the presence of the accused:

Provided that—

(a) if the accused is detained in pursuance of the sentence of a court in a prison and desires to make representations in person at the

hearing, the hearing shall not be concluded until the accused has been enabled to make such representations;

(b) if good reason is given to the Commission by or on behalf of the accused why the accused is unable to attend the hearing, other than that the accused is detained as aforesaid, the hearing shall be postponed or adjourned as the case may be;

(c) if the Commission is satisfied that the circumstances are such that the accused cannot attend, the hearing may be proceeded with and if necessary concluded in his absence.

(2) ADJOURNMENT OF HEARING. The hearing of the case may be adjourned from time to time as may appear necessary for due hearing of the case.

10. ATTENDANCE OF COMPLAINANT AT HEARING. (1) Subject to paragraph (4) the Commission shall allow the complainant to attend the hearing while witnesses are being examined, or cross-examined, on the facts alleged in the charge and if the Commission considers it appropriate so to do on account of the age of the complainant, or otherwise, shall allow him to be accompanied by a personal friend or relative who is not to be called as a witness at the hearing:

Provided that—

(a) where the complainant is to be called as a witness at the hearing, he and any person allowed to accompany him shall not be allowed to attend before he gives his evidence; and

(b) where it appears to the Commission that a witness may, in giving evidence disclose information which, in the public interest ought not to be disclosed to a member of the public, they shall require the complainant and any person allowed to accompany him to withdraw while evidence is given.

(2) Where the accused gives evidence after the presenting officer has had an opportunity of cross-examining him, the Commission shall put to him any questions which the complainant requests should be so put and might have been properly so put by the presenting officer and, at their direction, may allow the complainant himself to put such questions to the accused.

(3) Subject as aforesaid the complainant and any person allowed to accompany him shall neither intervene in, nor interrupt the hearing, and if he or such a person should behave in a disorderly or abusive manner, or otherwise misconduct himself, the Commission may exclude him from the remainder of the hearing.

(4) In this regulation a reference to the complainant is a reference to the originator of the complaint notwithstanding that it was received by the Commission, Minister or Commissioner of Police from or through some other person or body.

11. DECISION OF COMMISSION. (1) The Commission at the conclusion of the hearing shall decide either to dismiss the case or to impose one of the following punishments, namely—

- (a) dismissal from the Force;
- (b) requirement to resign from the Force either forthwith or on such date as may be specified in the decision and dismissal on refusal or failure so to do;
- (c) reduction in rank;
- (d) reduction in the accused's rate of pay for such period not exceeding one year as shall be specified in the decision;
- (e) fine not exceeding two hundred dollars;
- (f) reprimand;
- (g) caution.

(2) As soon as possible after the Commission has reached a decision, that decision shall be recorded on the discipline form and notified to the accused.

12. REFERENCE TO ACCUSED'S PERSONAL RECORD IN CONSIDERING PUNISHMENT. In considering which punishment shall be imposed, if any charge is found to be proved, regard shall be had to the accused's record of police service as shown in his personal record.

13. LIMITATIONS ON PUNISHMENT. (1) The punishment of a reduction in the accused's rate of pay or of a fine shall not be imposed for the offence set out in paragraph (t) in the Schedule to these Regulations.

(2) The punishment of a reduction in the accused's rate of pay shall not be such as to reduce the accused's rate of pay below the minimum of the scale of pay for his rank in the Force.

(3) A fine in respect of any one offence shall without prejudice to any other method of recovery, be recoverable by way of deductions from the accused's pay during a period not exceeding 3 months following the imposition of the punishment:

Provided that in the event of the accused leaving the Force, the whole amount of any fine unpaid may be deducted from any pay then due.

14. RIGHT OF APPEAL. (1) An accused person against whom a decision is made either by the Commissioner of Police or a member of the Police Force to whom authority is delegated to hear the charge may appeal against such decision to the Commission within fifteen days of the date on which such decision is communicated to him.

(2) Upon an application under paragraph (1) the Commission may affirm or set aside the decision or may make any other decision which the Commissioner of Police or the person delegated to hear the charge could have made.

(3) A decision made by the Commission under this regulation shall be final.

15. REVIEW. (1) The Board may review any decision to which these regulations apply at the instance of a member of the Force in respect of whom the decision is made:

Provided that—

(a) application is made within fifteen days of the date on which such decision is communicated to the member of the Force concerned; and

(b) decisions of the Commission made by that Commission on appeal from or confirming decisions of the Commissioner of Police or of any Officer or member of the Police Force to whom powers are delegated under the Constitution shall not be subject to review by the Board.

(2) Upon an application under this regulation, the Board may affirm or set aside the decision reviewed or it may make any other decision which the Commission could have made.

(3) A decision made by the Board shall be final.

(4) For the purpose of this regulation “Board” means the Public Service Board of Appeal established by the Constitution.

16. SUSPENSION. (1) Where a report, allegation or complaint is received from which it appears that a member of the Force has committed a disciplinary or criminal offence, the Commission may suspend that member

from membership of the Force and from his office, whether or not the matter has then been investigated and in such case he shall be suspended until—

(a) the Commission decides otherwise;

(b) it is decided that the member shall not be charged with a disciplinary offence; or

(c) the member has been so charged and either all the charges have been dismissed or a punishment has been imposed; whichever first occurs.

(2) A member of the Force suspended under this regulation shall, in respect of the period of suspension, be paid a suspension allowance at the rate prescribed under Section 37 of the Act.

(3) Where a member of the Force returns to duty when the period of suspension comes to an end and—

(a) it has been decided that he shall not be charged with a disciplinary offence; or

(b) he has been so charged and all the charges have been dismissed; or

(c) he has been so charged and has been punished by a reduction in his rate of pay, fine, reprimand, or caution,

he shall receive as from the date of his suspension the pay and allowance to which, but for paragraph (2) he would have been entitled by virtue of the Police Regulations, except that from the said pay and allowances there shall be deducted the amount of any suspension allowance paid to him under paragraph (3).

SCHEDULE

OFFENCES

(a) discreditable conduct, that is to say, if a member of the Force acts in a disorderly manner or in any manner prejudicial to discipline or likely to bring discredit on the reputation of the Force;

(b) insubordinate or oppressive conduct, that is to say, if a member of the Force—

-
- (i) is subordinate by word, act or demeanour;
 - (ii) is guilty of oppressive or tyrannical conduct towards an inferior in rank; or
 - (iii) uses obscene, abusive or insulting language to any other member of the Force; or
 - (iv) wilfully or negligently makes any false complaint or statement against any member of the Force; or
 - (v) assaults any other member of the Force; or
 - (vi) withholds any complaint or report against any member of the Force;
 - (c) disobedience to orders, that is to say, if a member of the Force disobeys or without good or sufficient cause omits or neglects to carry out any lawful order, written or otherwise;
 - (d) neglect of duty, that is to say, if a member of the Force—
 - (i) neglects, or without good or sufficient cause omits promptly and diligently to attend to or carry out anything which is his duty as a police officer; or
 - (ii) idles or gossips while on duty; or
 - (iii) fails to work his beat in accordance with orders, or leave his beat, traffic point or other place of duty to which he has been ordered, without due permission or sufficient cause; or
 - (iv) by carelessness or neglect permits a prisoner to escape; or
 - (v) fails, when knowing where an offender is to be found, to report the same, or to make due exertions for making him amenable to justice; or
 - (vi) fails to report any matter which it is his duty to report; or
 - (vii) sleeps on his post or beat; or
 - (viii) fails to report anything which he knows concerning a criminal charge, or fails to disclose any evidence which he, or any person within his knowledge, can give for or against any prisoner or defendant to a criminal charge; or
 - (ix) omits to make any necessary entry in any official document or book; or
 - (x) neglects, or without good or sufficient cause omits to carry out the instructions of a government medical officer following a medical examination or, while absent from duty on account of sickness, is guilty of any act or conduct calculated to retard his return to duty;
 - (e) making false statements or falsifying and mutilating books and documents that is to say, if a member of the Force—

-
- (i) wilfully and knowingly makes any false statement; or
 - (ii) knowingly makes or is privy or party to the making of any false entry, or with intent to mislead makes any alteration or erasure in any book of complaint, station diary, record book or other document kept in the normal course of official duty; or
 - (iii) wilfully mutilates or destroys any book of complaint, station diary, record, book, return or other document kept in the normal course of duty;
 - (f) breach of confidence, that is to say, if a member of the Force—
 - (i) divulges any matter which it is his duty to keep secret; or
 - (ii) gives notice, directly or indirectly, to any person against whom any warrant or summons has been or is about to be issued, except in the lawful execution of such warrant or service of such summons; or
 - (iii) without proper authority communicates to the public press, or to any unauthorised person, any matter connected with the Force; or
 - (iv) without proper authority shows to any person outside the Force any book or printed document the property of the police authorities; or
 - (v) makes any anonymous communication to the Commissioner of Police or any other superior officer;
 - (g) corrupt practice, that is to say, if a member of the Force—
 - (i) receives any bribe; or
 - (ii) fails to account for or to make a prompt and true return of any money or property seized or received by him in his official capacity; or
 - (iii) without the knowledge and permission of the Commissioner of Police accepts directly or indirectly any gratuity, present or reward in respect of anything done in the discharge of the duties of his office; or
 - (iv) places himself under pecuniary obligation to any person who holds a licence concerning the granting or renewal of which the police may have to report or give evidence; or
 - (v) improperly uses his character and position as a member of the Force for his private advantage;
 - (h) unlawful or unnecessary exercise of authority, that is to say, if a member of the Force—
 - (i) without good or sufficient cause makes any unlawful or unnecessary arrest; or

-
- (ii) uses any unnecessary violence to any prisoner or other person with whom he may be brought into contact in the execution of his duty;
 - (i) malingering, that is to say, if a member of the Force feigns or exaggerates any sickness or injury with a view to evading duty;
 - (j) absence without leave or being late for duty, that is to say, if a member of the Force, without reasonable excuse, is absent without leave from, or is late for, parade, court or any other duty;
 - (k) uncleanness, that is to say, if a member of the Force, while on duty or while off duty in uniform in a public place is improperly dressed or is dirty or untidy in his person, clothing or equipment;
 - (l) damage to clothing or other articles supplied, that is to say, if a member of the Force—
 - (i) wilfully or by carelessness causes any waste, loss or damage to any arms, article of clothing or equipment or other property supplied to him, or used by him, or entrusted to his care, or entrusted to the care of any other member of the Force; or
 - (ii) fails to report any loss or damage as above however caused;
 - (m) drinking on duty or soliciting drink, that is to say, if a member of the Force—
 - (i) without the consent of a superior officer, drinks or receives from any other person, any intoxicating liquor while he is on duty; or
 - (ii) demands, or endeavours to persuade any other person to give him, any intoxicating liquor while he is on duty;
 - (n) entering licensed premises where liquor is stored or distributed while on duty, that is to say, if a member of the Force enters any premises licensed under the Liquor Licensing Laws, or any other premises where liquors are stored or distributed, when his presence is not required in the execution of his duty;
 - (o) incurs debt without any reasonable prospect or intention of paying the same, or having incurred any debt, makes no reasonable effort to pay the same;
 - (p) gambling or betting in barracks;
 - (q) breaking arrest or out of barracks;
 - (r) appropriates to his own use, loses by neglect, or makes away with any arm, ammunition, article of clothing or equipment, uniform or other article supplied to him, or to any other police officer, or any Government property committed to his charge;
 - (s) breach of any Force Standing Order, Divisional Standing Order, or Station Standing Order;

(*l*) conviction for a criminal offence, that is to say, if a member of the Force has been found guilty by a court of law or a criminal offence;

(*u*) being an accessory to a disciplinary offence, that is to say, if a member of the Force connives at or is knowingly an accessory to any offence against discipline.

THE ROYAL POLICE FORCE OF ANTIGUA AND BARBUDA

DISCIPLINE FORM

r.5.

That you Rank
in the Royal Police Force of Antigua and Barbuda on the
..... day of 19
in Antigua and Barbuda did
.....
..... contrary to paragraph
of the Schedule to The Police (Discipline) Regulations.

.....
Investigating Officer.

FOR USE BY COMMISSION

Pleads Appeal Entered on
Found (To be made within 15 days of the
date of decision)

DECISION OF COMMISSION

SIGNATURE OF THE
CHAIRMAN

.....

.....