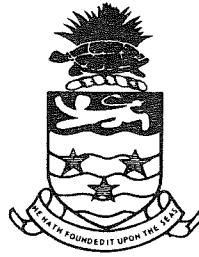


CAYMAN ISLANDS



Supplement No. 9 published with Gazette No. 21 of 1976.

THE POLICE REGULATIONS 1976

CAYMAN ISLANDS

THE POLICE LAW
(No. 5 of 1976)

THE POLICE REGULATIONS 1976

In exercise of the powers conferred by section 84 of the Police Law (No. 5 of 1976) the following Regulations are hereby made.

- | | |
|------------------------------|--|
| Short title. | 1. These Regulations may be cited as the Police Regulations 1976. |
| Interpretation. | 2. In these Regulations —
“Law” means the Police Law;
“section” means a section of the Law and section 2 applies. |
| Enlistment requirements. | 3. No person shall be enlisted in the Force unless —
(a) he is of or above the age of 18 (eighteen) years and under the age of 28 (twenty-eight) years;
(b) his height is not less than five feet six inches; and
(c) he has subjected himself to medical examination by the C.M.O. and been certified physically fit for service in the Force:

Provided that the Commissioner may, if he thinks fit, waive the requirements of paragraphs (a) and (b). |
| Special allowances. | 4. Special allowances of the type specified in the first column of the First Schedule are payable at the discretion of the Commissioner to officers of the ranks and at the rates prescribed in the second columns thereof respectively. |
| Issue of equipment, etc. | 5. (1) Officers and special constables shall be equipped with such equipment, clothing and appointments, including cleaning materials and insecticides, as may from time to time be determined.
(2) Equipment, clothing and appointments issued to officers are to be used only for police purposes.
(3) Officers and special constables who cease to hold office shall forthwith deliver up to the officer in charge of the Police Store, or any other officer designated by the Commissioner, all arms, equipment, clothing and appointments issued to them and all Government and police property supplied, issued to or entrusted to them including the identity cards issued under section 11:

Provided that the Commissioner, may at his discretion, permit a long-serving officer to retain any article of equipment, clothing or appointment, by way of a memento of his service. |
| Offences against discipline. | 6. An Inspector or junior officer who —
(a) is disrespectful in word, act or demeanour to a senior officer;
(b) wilfully disobeys a lawful order; |

- (c) is guilty of drunkenness;
- (d) renders himself unfit for duty through intoxication;
- (e) is intoxicated to any degree, or who drinks or solicits intoxicating liquor whilst on duty;
- (f) enters or is in any place licensed for the sale of intoxicating liquor whilst on duty except in the execution of that duty;
- (g) without cause fails to appear or appears late for duty;
- (h) sleeps at his post or leaves his post before he is relieved except in fresh pursuit of an offender whom it is his duty to apprehend;
- (i) being under arrest or in confinement leaves or escapes from such arrest or confinement before he is set at liberty by proper authority;
- (j) disobeys a lawful order to apprehend or to assist in the apprehension of any person;
- (k) negligently allows a prisoner who is committed to his charge, or whom it is his duty to keep or guard, to escape;
- (l) offers or uses unwarrantable personal violence to or illtreats any person in his custody;
- (m) is guilty of cowardice;
- (n) discharges a firearm without just cause or contrary to orders;
- (o) pawns, sells, loses by neglect, makes away with, wilfully damages or fails to report damage to arms, ammunition, equipment, clothing, or other appointments supplied to him or any other public property committed to his charge;
- (p) is slovenly, inattentive, uncivil, or quarrelsome;
- (q) parades for duty dirty or untidy in his person, arms, clothing, or equipment;
- (r) without due authority discloses or conveys information concerning an investigation or any other matter with which he is concerned in the course of his duties;
- (s) malingers, or feigns or wilfully produces any disease or infirmity;
- (t) is guilty of wilful misconduct, or wilfully disobeys an order, by which misconduct or disobedience he produces or aggravates any disease or infirmity or delays its cure;
- (u) incurs debt beyond his means;
- (v) resists or escapes from an escort whose duty it is to arrest or apprehend him or have him in charge;
- (w) breaks out of a police quarter, station or place in which he has been lawfully confined;

- (x) wilfully makes any false statement on joining the Force;
 - (y) in the course of his duty makes a statement in the truth of which he does not believe;
 - (z) refuses or neglects to make or send a report or return which it is his duty to make or to send;
 - (aa) makes an accusation against any person in the truth of which he does not believe;
 - (bb) in making a complaint against any person makes a statement in the truth of which he does not believe affecting the character of such person or withholds facts material to such complaint;
 - (cc) without the authority of the Commissioner engages in any trade, business, employment, or office outside the scope of his police duties;
 - (dd) takes any active part in any political organisation or electoral campaign or engages in any other activity which is likely to interfere with the impartial discharge of his duties as an officer;
 - (ee) without the Commissioner's written authority becomes security for any person, or engages in any loan transaction with any person;
 - (ff) fails when called upon by a gazetted officer so to do, to furnish a full and statement of his financial position;
 - (gg) not being a Force Registered Driver authorized in that behalf drives or takes away a police vehicle;
 - (hh) whilst on duty and in uniform smokes in a public place or in view of the general public; or
 - (ii) is guilty of any other act, conduct, disorder, or neglect to the prejudice of good order and police discipline,
- is guilty of an offence against discipline for the purposes of section 49.

**Procedure in
enquiries into of-
fences against
discipline.**

7. The following procedure shall be followed in enquiries into offences against discipline under section 51 —

- (a) the officer charged with an offence against discipline (hereinafter referred to as the accused) shall be supplied with a copy of the charge prior to the hearing;
- (b) no documentary evidence shall be used in any such proceedings unless the accused has been given access thereto prior to the hearing;
- (c) the evidence of any witness taken during the course of the proceedings shall be recorded in the presence of the accused;
- (d) the evidence given at the proceedings need not be taken down in full but the substance thereof shall be recorded in writing and read over to the accused;
- (e) the accused shall have the right to cross-examine each witness giving evidence against him and after each such witness has given evidence he shall be asked if he desires to cross-examine such witness;

(f) the accused shall be asked if he desires to give evidence in his own defence, and to call witnesses and, if he does so desire, shall be given a reasonable opportunity so to do;

(g) in disciplinary proceedings before him the Commissioner may, if he thinks fit, allow the accused to be assisted by a gazetted officer and, when such permission is given, his defence may be conducted by such officer.

Annual leave.

8. (1) Subject to the exigencies of the service the Commissioner may grant leave annually to officers on full pay at the following rates —

(i) Constable and Corporal	— 30 calendar days
(ii) Sergeant/Station Sergeant	— 34 " "
(iii) Assistant Inspectors/ Inspectors/Senior Inspectors	— 38 " "
(iv) Chief Inspector and above	— 42 " "

(2) Where an officer, either on first appointment or on leaving the service, will not complete a full year's service during a leave year, he may be granted $\frac{1}{12}$ of the number of working days leave for each complete month of service within the year. Fractions of a day shall count as a full day.

(3) Leave must be taken within the calendar year and may not be deferred, except on grounds of the exigencies of the service, and with the authority of the Commissioner.

(4) The Commissioner may require any officer to take the vacation leave for which he is eligible.

Leave on urgent private affairs.

9. The Commissioner may, in exceptional circumstances, and then only if it is consistent with the public interest, grant leave in advance or unpaid leave to an officer, who in his opinion, has proved that it is necessary for him to absent himself from duty for urgent private reasons, and who has insufficient leave to cover the period of absence required.

Sick leave.

10. (1) The Commissioner may, with the approval of the Governor and on the advice of the C.M.O., grant to officers sick leave on full pay for periods not exceeding six months in the aggregate during any period of twelve months and thereafter on half pay for a further period of six months:

Provided that there is a reasonable prospect that the officer will eventually recover within the total period of leave which may be so granted and subject to a maximum period of twelve months' sick leave in any one period of four years.

(2) If at the end of any period of sick leave granted under sub-regulation (1) the officer is in the opinion of the C.M.O. still unfit for duty, such officer may, on the recommendation of the C.M.O., be invalided from the Force or be granted a further period of sick leave.

Provided that sick leave in excess of twelve months in any period of four years shall be without pay and shall not enter into any calculation of increment or pension.

(3) Where an officer is invalided from the Force in the manner described in sub-regulation (2) he shall be eligible for such pension, gratuity or other payment as may be determined by the Governor having regard to all the circumstances of the case.

(4) Where an officer is discharged on medical grounds during the currency of a term of engagement, or where the Commissioner refuses to approve his re-engagement on the grounds the C.M.O. has pronounced him to be

physically or mentally unfit for further service, he shall be given not less than three months' notice of his discharge and his discharge shall not take effect until the expiry of such notice unless such officer elects that the discharge shall take effect at an earlier date. During the period of such notice prior to discharge the officer shall be deemed to be on leave and shall receive pay in accordance with sub-regulation (1).

Casual leave.

11. The Commissioner may grant casual leave for periods not exceeding forty-eight hours which shall not count against vacation leave but such periods of casual leave shall be limited to a total of six days per officer in any one year.

Badges of rank.

12. Badges of rank and the ranks to be held by members of the Force are determinable by the Governor and at the coming into force of these Regulations are —

Commissioner of Police	— Laurel wreath with crossed tipstaves and crown.
Deputy Commissioner of Police	— Laurel wreath with crossed tipstaves and star.
Senior Superintendent of Police	— Crown and two stars.
Superintendent of Police	— Crown and one star.
Assistant Superintendent of Police	— Crown.
Chief Inspector	— Three bath stars.
Inspector	— Two bath stars.
Probationary Inspector	— One bath star.
Station Sergeant	— Three chevrons and crown.

Leave passage entitlement.

13. (1) Officers leaving on permanent and pensionable terms are entitled to leave passages in accordance with Personnel Regulations.

(2) Officers serving on contract terms are entitled, on first appointment and on termination of their contract, to passages at the cheapest available rate to the place from which they were recruited, for the officer, his wife and up to three children, or in accordance with the terms of their contract whichever is more favourable.

Subsistence allowances.

14. Officers travelling on duty or attending courses of training other than in the United Kingdom under Technical Assistance arrangements are entitled to either a subsistence allowance at the rates given below or to the hotel, boarding or lodging, or miscellaneous expenses actually incurred —

Internal.

(1)	Below the rank of Inspector	\$9 p.d.
(2)	Inspectorate	\$15 p.d.
(3)	Gazetted Officers	\$20 p.d.

External.

(4)	Below the rank of Inspector	\$14 p.d.
(5)	Inspectorate	\$19 p.d.
(6)	Gazetted Officers	\$25 p.d.

Buildings and accommodation.

15. The Governor may set apart for the use of the Force any barracks or other buildings belonging to or rented by Government and may make such further or other provision as he may consider necessary for the accommodation of the Commissioner and officers wherever they may be posted in the Islands.

Revocation of

16. The following are hereby revoked —

GN. 164. 70

Police Force Order, 1970

GN. 64. 62

Police Force Rules, 1962

GN. 60. 69

— do — , 1969

GN. 97. 74

— do — (Amdt), 1964

FIRST SCHEDULE

(Regulation 4)

SPECIAL ALLOWANCES

1. Type	2. Ranks	3. Rate per annum
1. Uniform Allowance	Gazetted Officers	\$240 — \$180 p.a.
2. House Allowance	Married Officers	\$600 p.a.
3. Laundry Allowance	Below Inspector	\$ 60 p.a.
4. C.I.D. Plain Clothes Allowance	C.I.D./S.B.	\$144 p.a.
5. Drivers Allowance	Pursuit & Patrol Drivers	\$360 — \$240 p.a.
6. Motor Car Upkeep Allowance	Gazetted Officers	\$600 p.a.
7. Sub-Station Allowance	Sub-Station Officers	\$240 p.a.
8. Detective Allowance	C.I.D./S.B.	\$240 p.a.
9. Specialist Allowance	Photographer & Dog handler	\$240 p.a.
10. Mechanic Allowance	Police Mechanic	\$240 p.a.

Made the 28th day of September, 1976.

T. RUSSELL
Governor.

(Price 80 cents)