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Duplicate

THE POLICE LAW

(1995 Revision)

THE POLICE REGULATIONS

(1996 Revision)

CAYMAN ISLANDS
LAW SCHOOL
LIBRARY

Revised under the authority of the Law Revision Law (19 of 1975).

The Police Regulations, 1976 made the 28th September, 1976.

Consolidated with the-

Police (Amendment) Regulations, 1978 made the 21st February, 1978

Police (Amendment) Regulations, 1980 made the 2nd January, 1980

Police (Amendment) Regulations, 1990 made the 4th September, 1990.

Consolidated and revised this 9th day of April, 1996.

SCHEDULE

(Regulation 3)

SPECIAL ALLOWANCES

	1 Type	2 Rank	3 Rate per Annum
1.	Uniform allowance	Commissioner	\$500
		Other gazetted officers	\$400
2.	Housing allowance		\$2,400
3.	Laundry allowance	Below Inspector	\$300
4.	Plain clothes allowance	Up to Chief Inspector	\$350
5.	Drivers allowance	Pursuit and patrol drivers	\$540-\$360
6.	Motor car upkeep	Gazetted officers	At such rates as may for the time being be approved by the Governor for members of the public service
7.	Sub-station allowance	Sub-station officers	\$360
8.	Detective allowance	All ranks	\$500
9.	Specialist allowance		\$500.

Publication in consolidated and revised form authorised by the Governor in Council this 9th day of April, 1996.

Mona N. Banks-Jackson
Clerk of Executive Council

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

12. (1) Officers serving on permanent and pensionable terms are entitled to leave passages in accordance with General Orders.

(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

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

Internal		Per day
(1)	Below the rank of Inspector	\$9.00
(2)	Inspectorate	\$15.00
(3)	Gazetted officers	\$20.00
External		
(4)	Below the rank of Inspector	\$14.00
(5)	Inspectorate	\$19.00
(6)	Gazetted officers	\$25.00

Buildings and accommodation

14. 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.

POLICE REGULATIONS

(1996 Revision)

ARRANGEMENT OF REGULATIONS

1. Citation
2. Enlistment requirements
3. Special allowances
4. Issue of equipment, etc.
5. Offences against discipline
6. Procedure in enquiries into offences against discipline
7. Annual leave
8. Leave on urgent private affairs
9. Sick leave
10. Casual leave
11. Badges of rank
12. Leave passage entitlement
13. Subsistence allowances
14. Buildings and accommodation
Schedule: Special allowances

(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 out of 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 out of 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).

10. 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.

Casual leave

11. 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-

Badges of rank

Commissioner of Police	Laurel wreath with crossed tip staves and crown
Deputy Commissioner of Police	Laurel wreath with crossed tip staves and star
Senior Superintendent of Police	Crown and two stars

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; and
- (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

7. (1) Subject to the exigencies of the service, the Commissioner may grant leave annually to officers on full pay at rates as may be approved by the Governor from time to time.

(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 one-twelfth 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

8. 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

9. (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.

POLICE REGULATIONS

(1996 Revision)

1. These Regulations may be cited as the Police Regulations (1996 Revision).

Citation

2. No person shall be enlisted in the Force unless-

Enlistment requirements

- (a) he is of or above the age of eighteen years and under the age of 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).

3. Special allowances of the type specified in the first column of the Schedule are payable at the discretion of the Commissioner to officers of the ranks and at the rates prescribed in the second and third columns thereof.

Special allowances

4. (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.

Issue of equipment, etc.

(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.

5. 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;

Offences against discipline

- (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 ill-treats 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 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 statement of his financial position;
- (gg) not being a Force registered driver authorised 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 under section 49.

6. 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

Procedure in enquiries into offences against discipline