

Seychelles

Police Force Act

Police Force Regulations

Statutory Instrument 44 of 1959

Legislation as at 1 December 2014

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Police Force Act

Police Force Regulations Statutory Instrument 44 of 1959

Commenced on 23 November 1959

[This is the version of this document at 1 December 2014.]

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1. Citation

These regulations may be cited as the Police Force Regulations.

2. Interpretation

In these regulations unless the context otherwise requires—

"**Force**" means the Seychelles Police Force as by law established;

"**Government**" means the Government of Seychelles;

"**Act**" means the Police Force Act;

"**Police Officer**" means any member of the Seychelles Police Force.

3. Distribution

- (1) The distribution of the Force shall be as directed from time to time by the Commissioner of Police, subject to the orders and directions of the President.
- (2) Every police officer may, at any time, be detailed for duty in any part of Seychelles.

4. Qualifications for appointment

- (1) A candidate for appointment to the Force—
 - (a) shall be a Seychelles Citizen;
 - (b) shall produce satisfactory references as to character;
 - (c) shall have attained the age of eighteen years and not have attained the age of thirty years:
Provided that a candidate may be appointed after he has attained the age of thirty years if he has previous service in a police force;
 - (d) shall be certified by a Government Medical Officer to be in good health, of sound constitution and fitted both physically and mentally to perform the duties on which he will be employed after appointment;
 - (e) shall, save for special reasons approved by the Commissioner of Police, be not less in height than 5ft. 6in. (168 centimetres);
 - (f) shall satisfy the Commissioner of Police that he is sufficiently educated by passing a written or oral examination in reading, writing and simple arithmetic, and be of a standard

equivalent to that required to pass the Government Standard VI examination and have a sound knowledge of English as well as of French or of the local patois;

- (g) shall give such information as may be required as to his previous history or employment or other matter relating to his appointment to the Force, and if any candidate makes in, or in connection with, his application for appointment any false statement and is subsequently appointed to the Force, the making of such statement shall be deemed a breach of these regulations and shall render the offender liable to punishment under section 35 of the Act;

Provided in special cases the Commissioner of Police may dispense with the conditions laid down in paragraphs (c) and (f).

- (2) Notwithstanding subregulation (1), a candidate for appointment to the Force may be a non Seychelles Citizen.

5. Probation

- (1) A candidate who has been appointed to the Police Force shall serve for one year on probation;
- (2) After the expiration of the probationary period if the constable has given satisfactory service and is, in the opinion of the Commissioner of Police, in every respect, suitable for retention in the Force, he shall be confirmed as a constable;
- (3) The Commissioner of Police may at his discretion—
 - (a) reduce the period of probation;
 - (b) dispense with the period of probation if the constable has previously completed the period of probation during previous service in the Force or any other force.

6. Personal records

- (1) The Commissioner of Police shall cause a personal record of each member of the Force to be kept.
- (2) The personal record of police officers shall contain—
 - (a) a personal description of the member;
 - (b) particulars of a member's place and date of birth;
 - (c) particulars of his marriage (if any) and his children (if any);
 - (d) a record of his service (if any) in any other police force;
 - (e) a record of his service (if any) in any branch of the Seychelles People's Defence Force or in Government service;
 - (f) a record of whether he passed or failed to pass any qualifying examination at which he was a candidate or of any other examination which he passed;
 - (g) a record of his services in the Force including particulars of all promotions, postings, transfers, removals, injuries received, periods of sickness, courses, commendations, rewards, punishments other than admonition, extra duty or parade, and the date of his ceasing to be a member of the Force with the reason, cause or manner thereof together with particulars of any pension, gratuity or ex gratia payment made.
- (3) A member of the Force shall, if he so requests, be entitled to inspect his personal record.

7. Certificate of discharge

- (1) Where a member of the Force ceases to be such a member, he shall be given a certificate showing his rank and setting out the period of his service in the Force and the reason, cause or manner of his leaving the Force together with particulars of his personal description:

Provided that, where the member was required to resign or was dismissed, the certificate shall not contain any description of the circumstances in which he was required to resign or was dismissed.

- (2) The Commissioner of Police may append to the certificate any recommendation which he feels justified in giving.
- (3) Where a member of the Force ceases to be such a member, his personal record shall be kept for such time as the Commissioner of Police may think fit and shall then be destroyed.

8. Obedience of orders

Every member of the Force shall carry out all lawful orders and shall at all times punctually and promptly perform all appointed duties and attend to all matters within the scope of his office as a police officer.

9. Rest days

- (1) All members of the Force, other than special constables appointed under subsection (1) of section 48 of the Act shall be granted, subject to the exigencies of the service, a day's leave every seventh day. This will be known as "rest day leave".
- (2) Clerical and specialist staff will be granted rest day leave at the discretion of the inspector at the Police Headquarters.
- (3) Rest day leave is in addition to vacation or casual leave.
- (4) No member of the Force may take any part of his rest day leave out of his station area without the permission of the station or unit commander.
- (5) Rest day leave is a privilege and not a right. Should the exigencies of duty prevent the granting of a rest day leave, the period of duty performed on such day shall not count as extra duty.

10. Extra duty

- (1) Extra duty shall only be recognised as such when it is performed on special functions and special duty on which any member of the Force is detailed by direction of the Commissioner of Police, after such member of the Force has completed a normal tour of eight hours duty in any one day.
- (2) No continuation of routine beat or investigation duty or any other normal police duty shall be deemed to be extra duty unless the Commissioner of Police, in his discretion, directs otherwise.
- (3) No allowances, at the rates laid down by the Government from time to time, shall be paid to any member of the Force in respect of extra duty performed without the sanction of the Commissioner of Police:

Provided that no such allowances shall be paid to police officers above the rank of sergeant.

11. Medical treatment

All members of the Force, other than special constables, shall be entitled to the same privileges as Government servants with regard to medical advice and treatment, including surgical operations and medicines, as may be available at Government dispensaries or hospitals.

12. Promotion

- (1) Promotion from Constable to Sergeant and from Sergeant to Inspector shall be by selection from amongst those qualified to be promoted. No further examination shall be necessary for promotion above the rank of Inspector.

- (2) Seniority shall be taken into account, but shall not be allowed to govern promotion, and greater importance shall be attached to professional ability and personal qualities of leadership, loyalty, initiative, excellence of character, real and a true appreciation of the objects of the Police.
- (3) A member of the Force promoted shall not be confirmed in the rank to which he has been promoted until a period of one year has elapsed:

Provided that this period may be increased to not more than two years at the discretion of the Commissioner of Police.

13. Chief Police Officer's reports

The Commissioner of Police may furnish, annually, or at any time requested, for the information of the President, a comprehensive report of the state of the Force and the state of crime in Seychelles.

14. Inspections

The Commissioner of Police shall visit and inspect all stations and headquarters not less than once in each quarter of the year.

15. Complaints

- (1) If any subordinate officer thinks himself wronged in any matter by any police officer of lower rank than the officer in charge of the police in the place where he is stationed, he may complain in respect thereof to such officer in charge, and if he thinks himself wronged by such officer in charge or by any officer of the same or of a higher rank not being the Commissioner of Police, he may complain in respect thereof to the Commissioner of Police, and if he thinks himself wronged by the Commissioner of Police, either in respect of his complaint not being redressed or in respect of any other matter, he may complain in respect thereof to the President.
- (2) Upon any such complaint being made, the complaint shall be enquired into and steps shall be taken as may be necessary for giving redress to the complainant as the case requires.
- (3) Every complaint shall be made in, or reduced to, writing.

16. Duties

The Commissioner of Police shall assign to members of the Force such duties as he considers necessary for the maintenance of the efficiency of the Force.

17. Force Standing Orders

As part of Force Orders the Commissioner of Police may, from time to time, issue Standing Orders to the Force which shall be called "Force Standing Orders" and these shall be complied with and observed by all members of the Force.

18. Command of districts

A district or unit commander shall have immediate command and superintendence of the Force stationed from time to time within the district or unit and shall be responsible to the Commissioner of Police.

19. Station duties

The police officer in charge of a station shall be responsible for—

- (a) The maintenance of law and order within the station area;

- (b) the discipline, training, and appearance of the men under his command, the order and cleanliness of the buildings, the arms and ammunition (if any) and every article of public property committed to his charge;
- (c) the control, and charge of all documents and for ensuring that they are properly kept;
- (d) the correct and timely rendering of such returns and other reports as the Commissioner of Police may from time to time direct;
- (e) the safe custody and correct accounting of any public monies entrusted to his care.

20. Drill and musketry

- (1) Every member of the Force shall be trained and exercised in squad drill and in baton drill as may be laid down from time to time in Force Standing Orders.
- (2) Members of the Force may be required to undergo a course of musketry training as may be laid down from time to time in Force Standing Orders.

21. Travelling in public service vehicles

Members of the Force travelling on public service vehicles in the course of duty shall pay such fares as may properly be demanded of them and shall claim reimbursement from the proper authority.

22. Removal on transfer

Members of the Force who in the opinion of the Commissioner of Police is required to move his family, his home or personal effects by the exigencies of police duty shall have his reasonable expenses reimbursed or the removal carried out by the police.