

Seychelles

Police Force Act

Police Force (Special Constables) Regulations Statutory Instrument 17 of 1967

Legislation as at 1 December 2014

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Police Force (Special Constables) Regulations
Contents

1. Citation 1

2. Interpretation 1

3. Special constables 1

4. Command and ranks in the special constabulary unit 1

5. Command and ranks in the Security Guards Unit 2

5A. Seychelles National Guards Unit 2

6. Duty as special constable 3

7. When not required to be on duty 3

8. Wearing of uniform 3

9. Resignation 3

10. Suspension or determination of service 3

11. Delivery of articles of clothing etc. on ceasing to be special constables 3

12. Powers, privileges and duties of special constables 3

13. Disability allowance 4

Schedule 4

Seychelles

Police Force Act

Police Force (Special Constables) Regulations Statutory Instrument 17 of 1967

Commenced on 28 March 1967

[This is the version of this document as it was at 1 December 2014 to 17 October 2019.]

[SI. 17 of 1967; SI. 95 of 1975; SI. 72 of 1976; SI. 75 of 1996]

1. Citation

These regulations may be cited as the Police Force (Special Constables) Regulations.

2. Interpretation

In these regulations unless the context otherwise requires—

"**Commandant**" means the special constable appointed by the Commissioner of Police to be in charge of the Special Constabulary Unit;

"**cognisable offence**" means any offence for which a police officer may in accordance with the Third Schedule to the Criminal Procedure Code or under any law for the time being in force, arrest without warrant;

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

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

"**police officer**" means a member of the Seychelles Police Force;

"**special constable**" means a special constable appointed under section 48 of the Act and includes a member of—

- (a) the Special Constabulary Unit;
- (b) the Security Guards Unit; and
- (c) the Seychelles National Guards Unit.

3. Special constables

In addition to the special constables appointed under section 48 of the Act, there shall be established the following units of special constables—

- (a) the Special Constabulary Unit;
- (b) the Security Guards Unit; and
- (c) the Seychelles National Guards Unit.

4. Command and ranks in the special constabulary unit

- (1) The Special Constabulary Unit shall be under the in the command of the Commissioner of Police and shall consist of the undermentioned ranks in the following order of seniority:—

Commandant

Deputy Commandant
Assistant Commandant
Special Sergeant
Special Corporal
Special Constable

- (2) The corresponding ranks in the Force shall be as follows—
- (a) Commandant corresponds to the rank of Superintendent;
 - (b) Deputy Commandant corresponds to the rank of Assistant Superintendent;
 - (c) Assistant Commandant corresponds to the rank of Sub-Inspector;
 - (d) Special Sergeant corresponds to the rank of Sergeant;
 - (e) Special Corporal corresponds to the rank of Corporal;
 - (f) Special Constable corresponds to the rank of Constable.

5. Command and ranks in the Security Guards Unit

- (1) The Security Guards Unit shall be under the overall in the command of the Commissioner of Police and under the immediate Security command of a police officer of or above the rank of sub-inspector and shall consist of the undermentioned ranks in the following order of seniority—
- Sergeant
Corporal
Senior Constable
Constable
- (2) The corresponding ranks in the Force shall be as follows—
- (i) Sergeant and Corporal correspond to the rank of Sergeant and Corporal respectively;
 - (ii) Senior Constable and Constable correspond to the rank of 1st Grade Constable and Constable respectively.

5A. Seychelles National Guards Unit

- (1) The Seychelles National Guards Unit shall be under the overall command of the Commissioner of Police and under the immediate command of a person appointed by the Commissioner of Police and shall consist of the following ranks in the following order of seniority—
- Assistant Superintendent
Inspector
Sub. Inspector
Sergeant Major
Sergeant
Corporal
Lance Corporal
Senior Constable

Constable

- (2) In addition to the powers conferred by regulation 12, the members of the Seychelles National Guards Unit shall, when called upon the Commissioner of Police, provide security services to a government and non-government organization for a fee to be agreed between the Commissioner and the organization.

6. Duty as special constable

A special constable shall be deemed to be on duty in the capacity of a special constable—

- (a) when what is or appears to him to be a cognisable offence is committed in his presence;
- (b) while he is required by the Commandant or by a police officer of or above the rank of sub-inspector or by the person appointed by the Police Commissioner to be in immediate command of the Seychelles National Guards Unit, as the case may be, to be on duty;
- (c) when he attends parades, lectures or other forms of training;
- (d) when on duty in the Special Constabulary Unit which by notice in the *Gazette* has been called out by the President for regular duty.

7. When not required to be on duty

No member of the Special Constabulary Unit may be required to be on duty under regulation 6(b) at a time when he would normally be expected to be engaged in his civilian employment:

Provided that this regulation shall not apply in the case when the President has called out the Special Constabulary Unit for regular duty by notice in the *Gazette*.

8. Wearing of uniform

Special Constables may not wear their uniform without the authority of the Commandant or of a police officer of or above the rank of sub-inspector or of the person appointed by the Police Commissioner to be in immediate command of the Seychelles National Guards Unit, as the case may be.

9. Resignation

A special constable may resign his appointment on giving one month's notice in writing to the Commissioner of Police. He shall cease to be a special constable on the expiration of such notice.

10. Suspension or determination of service

The Commissioner of Police may suspend or determine the services of a special constable and shall forthwith transmit notice thereof in writing to the special constable concerned. Such notice shall be in the form set out in the schedule to these regulations.

11. Delivery of articles of clothing etc. on ceasing to be special constables

Within one week after ceasing to be a special constable on the resignation of his appointment or after receipt of the notice determining his appointment the special constable shall deliver over to such person and at such time special and place as the Commissioner of Police may direct, his form of appointment and all articles of clothing and equipment which may have been issued to him.

12. Powers, privileges and duties of special constables

A special constable shall when on duty have the same powers, privileges and protection and shall be liable to perform the same duties and shall be amenable to the same penalties and be subordinate to the same authorities as police officers.

13. Disability allowance

- (1) If a member of the special Constabulary Unit is permanently incapacitated from following his normal employment or if his earning power in such employment is impaired consequent upon injury received in the course of his duty as a special constable and not caused by his own fault, he may be granted a disability allowance at the rate of the proportion of his actual rate of pay in the Unit at the date of his injury appropriate to his case as shown in the following table—

When his capacity to contribute to his own support is—

slightly-impaired ten forty-fifths

impaired twenty forty-fifths

materially impaired thirty forty-fifths

totally destroyed thirty-five forty-fifths:

Provided that the amount of the disability allowance may be reduced to such an extent as the President thinks reasonable where the injury is not the sole cause of his incapacity or disability.

- (2) Unless the President otherwise directs, a special constable to whom a disability allowance has been granted under this regulation shall be subject to medical examination annually or at such other periods as may be directed by the Commissioner of Police, and, if any such special constables refuses to be examined when required so to be under this paragraph such disability allowance shall, if the President so directs, cease from such date as the President may determine.
- (3) If as the result of any examination affected under paragraph (2) of this regulation, the President is satisfied from the medical evidence—
- (a) that the extent of the disability has increased or decreased he may make an appropriate increase or decrease, as the case may be, in the rate of the disability allowance;
 - (b) that the special constable has completely recovered from the disability in respect of which the disability allowance is paid he may direct that the disability allowance shall cease from such date as he may determine.

Schedule

Notice to suspend or determine appointment of special constable

To _____ of _____

I, the undersigned, Commissioner of Police do, under the powers vested in me by section 53 of the Police Force Act, hereby give you notice that your appointment as a special constables for Seychelles made on _____ day of _____ 19 _____ is suspended/determined with effect from the date hereof.

Dated this _____ day of _____ 19 _____

Signed _____

Commissioner of Police