

No. 1225.

THE POLICE LAW.

CAP. 265 AND LAWS 24 OF 1953, 31 OF 1954, 21 OF 1955, 39 OF 1955,
48 OF 1955 AND 10 OF 1956.

*Cap 265 referred
by 5/58*

REGULATIONS MADE BY THE COMMISSIONER OF POLICE WITH THE APPROVAL
OF THE GOVERNOR'S DEPUTY UNDER SECTION 58.

In exercise of the powers vested in me by section 58 of the Police Law, I, the Commissioner of Police, with the approval of the Governor's Deputy, do hereby make the following regulations :—

Cap. 265
24 of 1953
31 of 1954
21 of 1955
39 of 1955
48 of 1955
10 of 1956.

1. These Regulations may be cited as the Police (No. 2) Regulations, 1956. Short title.
2. In these Regulations, unless the context otherwise requires— Interpretation.
 - “barracks” means any building or premises used by the Force ;
 - “Division” and all cognate expressions means a Police branch, Unit or Division under the supervision of an Officer ;
 - “Order” means any order issued by the Commissioner for the good order and government of the Force and for the guidance of Police Officers in the execution of their duties ;
 - “Law” means the Police Law and any Law amending or substituted for the same ;
 - “Station” means a Police Station.

DISTRIBUTION OF THE FORCE.

3. The distribution of the Force shall be as it may be directed by the Commissioner from time to time. Distribution.
4. The Commissioner may require any Police Officer to reside in any part of Cyprus and in such Government quarter or hired building and to pay therefor such rent as may be prescribed by the Commissioner. Residence.

DUTIES OF OFFICERS.

5. The Commissioner shall furnish annually, for the information of the Governor, a comprehensive report of the state of the Force and the state of crime in the Colony. Annual Report.
6. The Commissioner shall visit and inspect all Divisional Headquarters not less than once in each year and as many Stations as practicable during the year. Inspections.
7. The Commissioner may, from time to time, issue Orders, which shall be complied with and observed by all Police Officers. Orders.
8. The Commissioner shall assign to Police Officers such duties as he considers necessary for the maintenance of the efficiency of the Force. Duties.
9. An Officer in charge of a Division shall have immediate command and superintendence of the Force stationed from time to time within the Division. Command of Divisions.
10. Unless otherwise provided, Officers shall take command and precedence on all occasions according to their rank and seniority, but shall not assume any control or authority on the grounds of seniority out of their Division unless under specific instructions from the Commissioner. Command and precedence.
11. No Officer in charge of a Division shall absent himself from his Division without the permission of the Commissioner. Absence.
12. Officers from Divisions on leave of absence or otherwise at Nicosia and on first appointment shall report in person to the Officer in charge of Administration at Police Headquarters, Reporting on leave.

Custody of property, etc.

13. An Officer in charge of a Division shall have charge of all public monies issued for the use of the Force under his command, and shall account for such monies to the Accountant-General, through the Commissioner, at such times and in such form as the Accountant-General may direct.

Band property.

14. The Director of Music shall be responsible for the training, efficiency and professional engagements of the Police Band and for all Band property.

Bandmaster.

15. The Director of Music shall, if occasion arises, act as a Police Officer and in such case he shall rank as an Assistant Superintendent.

DUTIES OF POLICE OFFICER IN CHARGE OF A STATION.

Responsibility for discipline, etc., in Stations.

16. The Police Officer in charge of a Station shall—

- (a) be responsible for the discipline, training and efficiency of the men under his command, the order and cleanliness of the barracks, the condition of the vehicles, the arms, ammunition and appointments and every article of public property committed to his charge ;
- (b) be responsible for the proper control of his Station area and for the prevention and detection of crime in such area ;
- (c) have control and charge of all Station books and records and shall be responsible that they are properly kept.

DISCIPLINE OF THE FORCE.

Obedience to Orders.

17. Officers shall be responsible for the strict compliance and observance of all Orders issued from time to time and shall not issue any orders at variance with any such Orders or directions.

Complaints to Divisional Officers.

18. A Police Officer who considers that he has a grievance or just cause for complaint may apply for an interview with the Officer in charge of the Division, who shall enquire into the complaint or grievance and, if he finds it justified, shall take such steps as may be necessary to remedy it. A complainant aggrieved by the decision of the Officer in charge of the Division shall be permitted to make representations to the Commissioner.

Communications and applications.

19. All petitions, applications or communications of any nature from Police Officers to the Commissioner shall be forwarded through the Officer in charge of the Division.

Borrowing and lending money.

20. Police Officers are forbidden—

- (a) to borrow money from any member of the public or any other Police Officer or from Police canteens ;
- (b) to lend money to any member of the public or to any other Police Officer.

Civil actions.

21. No Police Officer shall take any civil action before any Court without first notifying the Commissioner and obtaining his permission to proceed.

Political activity forbidden.

22. Police Officers are forbidden to—

- (a) take part in any political propaganda ;
- (b) interest themselves directly or indirectly in any public electioneering campaign :

Provided that Police Officers who are qualified to vote at any election may freely use their right of voting.

Processions, etc.

23. Except in the execution of their duty in that connection, Police Officers are forbidden to hold or to take part in any procession, demonstration or meeting without the permission of the Commissioner.

OFFENCES.

Offences.

24. Any Police Officer who does any of the following acts shall be deemed to have committed an offence against discipline under these regulations and shall be liable to the punishment prescribed by the Law or these regulations :—

- (1) is insubordinate ;
- (2) disobeys or fails to comply with or observe any lawful order given to him by his superior in rank, whether verbally or in writing, or by authorized signals on parade ;

- (3) is disrespectful in word, act or demeanour to his superior in rank ;
- (4) uses abusive or insulting language to, or quarrels with, any Police Officer ;
- (5) is guilty of any oppressive conduct towards an inferior in rank ;
- (6) forces a sentry ;
- (7) loses by neglect, alters, damages or fails to report any damage to, any of the articles or clothing, arms or accoutrements issued to him or any Government property committed to his charge ;
- (8) is inattentive on parade or talks, or otherwise misbehaves himself on parade ;
- (9) is late for parade or duty ;
- (10) is dirty or untidy in his person, arms, clothing or accoutrements, or is improperly or incorrectly dressed when in uniform ;
- (11) is drunk on or off duty ;
- (12) drinks spirituous or alcoholic liquor on duty ;
- (13) enters any place licensed for the sale of spirituous liquors when on duty, except when his presence is required there in the execution of his duty ;
- (14) smokes when on duty ;
- (15) fails to work his beat or patrol properly or is irregular on beat, sentry or patrol ;
- (16) sleeps, idles, gossips, sits or lies down without cause when on duty ;
- (17) fails to attend any reasonable request made to him by any member of the public ;
- (18) leaves his beat, patrol, point or other place to which he has been ordered, without permission ;
- (19) uses unjustified violence to, or ill-uses, a prisoner ;
- (20) permits a prisoner to escape ;
- (21) is guilty of neglect of duty ;
- (22) when knowing where an offender is to be found, fails to report or effect his arrest ;
- (23) neglects to assist any person injured or taken ill in public ;
- (24) omits to make any necessary entry, which it is his duty to make, in any official document, or makes or signs an entry knowing it to be false, in any official document ;
- (25) is guilty of any prævarication at any enquiry ;
- (26) wilfully or negligently makes any false, misleading or inaccurate statement ;
- (27) overholds any complaint or report against any Police Officer ;
- (28) makes or joins in making any anonymous complaint ;
- (29) signs or circulates any petition or other document or calls or attends any meeting to discuss any subject connected with the Force, without the sanction of the Commissioner ;
- (30) makes any frivolous or vexatious complaint ;
- (31) receives or accepts directly or indirectly any gratuity, present, subscription or testimonial without the knowledge and permission of the Commissioner ;
- (32) receives any bribe ;
- (33) improperly uses his character and position as a Police Officer for his private advantage ;
- (34) in his capacity as a member of the Force, writes, signs or gives, without the sanction of the Commissioner, any testimonial of character or other recommendation with the object of obtaining employment for any person or of supporting an application for the grant of a licence of any kind ;
- (35) without the sanction of the Commissioner supports an application for the grant of a licence of any kind ;

- (36) incurs debt without any reasonable prospect of paying the same, or having incurred any debt, makes no reasonable effort to pay the same ;
- (37) divulges any matter or thing which it is his duty to keep secret ;
- (38) conveys, directly or indirectly, any information concerning any warrant or summons which is about to be issued against any person ;
- (39) communicates to the press or any unauthorized person matters connected with the Force without leave from the Commissioner ;
- (40) is absent from duty without leave ;
- (41) malingers or feigns sickness, or reports sick without due cause, or conceals any venereal disease or contagious disease, or neglects or fails to report the fact if he is suffering from the same ;
- (42) becomes incapacitated for duty by his own misconduct ;
- (43) gambles or permits or fails to report gambling in Police Stations or barracks ;
- (44) is wanting in civility to any member of the public ;
- (45) is guilty of any improper conduct or brings discredit on the Force ;
- (46) acts in contravention of or fails to comply with or observe any of these regulations ;
- (47) neglects, or without good and sufficient cause omits, to carry out any instructions of a Government Medical Officer or, while absent from duty on account of sickness, is guilty of any act or conduct calculated to retard his return to duty ;
- (48) contravenes any of the provisions of the Law.

25. Any Gazetted Officer shall have power to enquire into any offence under these regulations and to impose the following punishments on any Police Officer :—

(a) In the case of an Inspector :—

- (i) dismissal ;
- (ii) reduction in rank or grade ;
- (iii) withholding, stoppage or deferment of increment ;
- (iv) requirement to resign ;
- (v) a fine not exceeding one month's pay ;
- (vi) severe reprimand ;
- (vii) reprimand ;
- (viii) admonition :

Provided that a punishment of dismissal, reduction in rank or grade, or deferment of increment shall require the confirmation of the Governor.

(b) In the case of a Non-Commissioned Officer or Constable :—

- (i) dismissal ;
- (ii) reduction in rank or grade ;
- (iii) withholding, stoppage or deferment of increment ;
- (iv) a fine not exceeding ten days' pay ;
- (v) confinement to barracks for a period not exceeding 28 days ;
- (vi) severe reprimand ;
- (vii) reprimand ;
- (viii) admonition with or without extra duties, parades or fatigues :

Provided that a punishment of dismissal, reduction in rank or grade, or deferment of increment shall be subject to confirmation by the Commissioner.

26. All punishments imposed by a Gazetted Officer, who is not in charge of a Division, shall be reviewed by the Officer in charge of the Division who, upon review, may—

- (a) set aside the decision and punishment, or order a re-examination into the truth of the charge, or direct that further evidence be taken by the Gazetted Officer who adjudicated in the first instance or by any other Gazetted Officer ; or

Power of
Gazetted
Officers to
impose pu-
nishments.

Review of
punish-
ments by
Officer in
charge of
Division.

- (b) vary the decision or (with or without varying the decision) remit, mitigate, increase or alter the punishment to any other punishment which might have been imposed for the offence ; or
- (c) with or without such reduction or increase and with or without altering the decision, alter the nature of the punishment ; or
- (d) where the evidence proves an offence other than that charged, and an amendment can be made without injustice to the defaulter, amend the charge and the decision, and impose such punishment in substitution for the punishment imposed as, in the opinion of the reviewing Officer, may be appropriate for that other charge ; or
- (e) confirm the decision and punishment.

27.—(a) An Inspector, Non-commissioned Officer or Constable aggrieved by any decision made or punishment imposed on him or by both, may, within 7 days from the date on which the decision arrived at by the reviewing Officer is communicated to him, appeal to the Commissioner. Appeals to Commissioner and Governor.

(b) An Inspector, Non-Commissioned Officer or Constable aggrieved by the decision of the Commissioner regarding the punishment imposed on him, may, within 7 days from the date on which the decision arrived at by the Commissioner is communicated to him, appeal to the Governor, whose decision shall be final.

(c) Every appeal under this regulation shall be presented in writing, setting out the grounds of appeal, which shall be submitted through the Officer in charge of the Division to the Commissioner.

28. In review of an appeal from a decision or punishment, the Commissioner may :— Commissioner's powers of review.

- (a) set aside the decision and punishment or order a re-examination into the truth of the charge or direct that further evidence be taken by the Gazetted Officer who adjudicated in the first instance or by any other Gazetted Officer ; or
- (b) vary the decision or, (with or without altering the decision), remit, mitigate, increase or alter the punishment to any other punishment which might have been imposed for the offence ; or
- (c) with or without such reduction or increase and with or without altering the decision, alter the nature of the punishment ; or
- (d) where the evidence proves an offence other than that charged, and an amendment can be made without injustice to the defaulter, amend the charge and the decision, and impose such punishment in substitution for the punishment imposed as, in the opinion of the Commissioner, may be appropriate for that other charge ; or
- (e) confirm the decision and punishment.

29. No punishment requiring confirmation by the Commissioner or the Governor shall be confirmed until the time for appeal has expired or, where there is an appeal, until the appeal has been determined. Confirmation of punishment.

30.—(1) Any punishment shall take effect as from the date of its award except punishments subject to confirmation of the Commissioner or the Governor which shall take effect as from the date of such confirmation. Effective date of punishment.

(2) Police Officers confined to barracks shall perform such duties in and out of barracks, including extra drill, parade, fatigues, as may be directed by the Officer imposing the punishment.

31. Any Gazetted Officer may, irrespective of the power of the Commissioner or a Superintendent under section 30 of the Law, interdict from duty at any time any Inspector, Non-Commissioned Officer or Constable pending an enquiry into an offence under these regulations, informing the Commissioner, in writing as soon as possible, but such Inspector, Non-Commissioned Officer or Constable shall not, by reason of interdiction, cease to be a member of the Force ; provided that the powers, privileges and benefits vested in him as a member of the Force shall be in abeyance during his Interdiction.