

Auxiliary Police Regulations

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Legislative History

POLICE FORCE ACT (CHAPTER 235, SECTION 71(12))

AUXILIARY POLICE REGULATIONS

Rg 2

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Citation

1. These Regulations may be cited as the Auxiliary Police Regulations.

Definitions

2. In these Regulations, “employing authority” means the Government or any company, statutory body or other organisation by whom an auxiliary police officer is employed.

Schemes of training

3. Every auxiliary police officer shall undergo such examinations and schemes of

training as the Commissioner, in consultation with the employing authority, may direct to fit him for the duties which he may be called upon to perform.

Titles of Auxiliary Police Forces

4. An Auxiliary Police Force may adopt such title as may be agreed by the Commissioner and the employing authority.

Promotions

5.—(1) There shall be established a Joint Promotions Board for each Auxiliary Police Force consisting of —

- (a) a police officer, nominated by the Commissioner, who shall be the chairman;
- (b) the officer-in-charge of that Auxiliary Police Force; and
- (c) a representative of the employing authority.

(2) Any person who has been invested with the powers of an auxiliary police officer and who is a member of an Auxiliary Police Force may be promoted by the Commissioner —

- (a) after such auxiliary police officer has passed such examination or examinations as the Commissioner may consider necessary; and
- (b) after consideration of the recommendations in respect of such auxiliary police officer made to the Commissioner by the Joint Promotions Board.

Discipline and punishment of auxiliary police officers

6. Where an auxiliary police officer is found guilty by an officer authorised by a commanding officer to conduct disciplinary proceedings (referred to in these Regulations as an authorised officer) in respect of any of the following offences:

- (a) absence from duty without leave or good cause;
- (b) sleeping on duty;
- (c) conduct to the prejudice of good order and discipline;
- (d) cowardice in the performance of duty;
- (e) disobedience of these Regulations, Auxiliary Police Standing Orders as provided in regulation 13 or any orders of a superior officer whether written or verbal;
- (f) being unfit for duty through intoxication;

- (g) insubordination;
- (h) neglect of duty or orders;
- (i) malingering;
- (j) making in the course of his duty a statement which is false in a material particular;
- (k) excess of duty resulting in loss or injury to any other person;
- (l) any act of plunder or wanton destruction of property; and
- (m) engaging in trade or other employment without the permission of the Commissioner,

the authorised officer may recommend to the employing authority that such auxiliary police officer be dismissed or punished with any of the following punishments:

- (i) reduction in rank, grade or seniority;
- (ii) deferment or stoppage of increment;
- (iii) reprimand;
- (iv) caution; or
- (v) extra duty,

and in lieu of or in addition to any of the aforesaid punishments, may recommend to the employing authority the imposition of a fine not exceeding \$100 or forfeiture of not more than one month's pay, except in the case of absence without leave or good cause when, in addition to any other punishment, he may recommend forfeiture of pay in respect of the period of absence or such lesser period as he may think fit.

Appeal

7. An auxiliary police officer may appeal to the Commissioner against any finding or punishment under these Regulations within 30 days from the date of such finding or punishment, and in every case where an appeal has been lodged, any punishment awarded shall be suspended pending the determination of the appeal.

Suspension of auxiliary police officer

8. If the Commissioner or a commanding officer thinks it necessary in the public interest that an auxiliary police officer should cease to exercise the powers and functions of a police officer instantly, he may suspend such auxiliary police officer, pending any enquiry into his conduct under these Regulations.

Power to secure attendance of witnesses

9. Any authorised officer conducting disciplinary proceedings under these Regulations may apply to a Magistrate for a summons to secure the attendance before such officer, as a witness, of any person who appears to be acquainted with the circumstances of the case. The Magistrate may issue a summons accordingly and such witness shall be bound to attend at the time and place mentioned in the summons and shall be bound to answer truly all questions relating to such case as may be put to him by such authorised officer, and shall produce all documents relevant to such case:

Provided that nothing in this regulation shall be construed to compel any person to disclose any matter or produce any document which would have been protected from disclosure or production, as the case may be, on the ground of privilege if the proceedings had been held in any court.

Prosecution for disciplinary offences

10.—(1) An auxiliary police officer accused of any of the offences specified in regulation 6 (referred to in these Regulations as the officer concerned) may, instead of being punished by the imposition of any of the punishments specified in regulation 6 be prosecuted in court, and in such event shall be liable on conviction to a fine not exceeding \$500 or to imprisonment for a term not exceeding 3 months or to both.

(2) No such prosecution shall be instituted without the previous sanction in writing of the Commissioner.

Disciplinary charges

11.—(1) Every charge shall describe the offence in the terms of regulation 6 in such manner as to identify the act or omission complained of.

(2) Where there are two or more distinct offences, a separate charge shall be framed in respect of each offence and a separate finding shall be made on each charge:

Provided that where more than one offence is committed in the course of the same transaction, only one charge shall be framed in respect of the most serious offence disclosed.

(3) More auxiliary police officers than one may be dealt with together for the same or different offences if committed in the course of the same transaction.

(4) The charge may be amended or altered at any time before the finding, but the officer concerned shall be informed of the amended or altered charge and shall be given full opportunity to cross-examine or give or call evidence to meet such new charge.

(5) An auxiliary police officer charged with an offence may be punished for having attempted to commit, or having abetted the commission of such offence.