



Tuvalu

POLICE REGULATIONS

L.N.28/65, 9 of 1974, 22 of 1974, L.N.22/76, L.N. 10/90



Tuvalu

POLICE REGULATIONS

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POLICE REGULATIONS

L.N.28/65, 9 of 1974, 22 of 1974, L.N.22/76, L.N. 10/90

POLICE ORDINANCE

Commencement [Date]

1 Citation

These Regulations may be cited as the Police Regulations.

2 Interpretation

In these Regulations, unless the context otherwise requires —

“**General Orders**” means those Orders of the Government for the time being in force for the governance of servants of the Government.

3 Ranks

In the Force there shall be the following ranks of police officers subordinate to the Chief of Police —

Inspectors;

Sergeants;

Corporals; and

\Constables.

4 Conditions of appointment

- (1) No person shall be enrolled in the Force unless he has attained the age of 18 years and is certified by a government medical officer to be physically fit for service in the Force.
- (2) Every police officer shall be appointed to serve in the Force for a period of 2 years on probation in the first instance.
- (3) After the expiration of the probationary period, if the police officer has given satisfactory service and is, in the opinion of the Chief of Police, in every respect suitable for retention in the Force, he shall be confirmed in his appointment, and shall, after such confirmation, serve in the Force subject to the provisions of the Ordinance and of Chapter VIII of the Constitution while of, or over, the rank of Inspector, at the pleasure of the Governor-General, and while of any other rank, at the pleasure of the Chief of Police.
- (4) The Chief of Police may at his discretion —
 - (a) reduce the period of probation;
 - (b) dispense with the period of probation if the police officer has previously completed a period of probation during previous service in the Force or in any other force.

5 Leave

- (1) Subject to the exigencies of the Service, all members of the Force may be granted leave in accordance with General Orders.
- (2) Details of any leave (including leave due to illness) of any police officer shall be notified by his officer in charge to the Chief of Police and shall be published as a Force Order.
- (3) Subject to the express provisions of any law for the time being in force, the powers and privileges conferred, and the duties imposed, upon any police officer by law shall continue unaffected during any such time as he may be on leave.

6 Medical attendance and medicines

- (1) All police officers and their wives and dependants shall be entitled to have medical attendance and medicines provided at the expense of the Government unless the necessity for such medical attendance or medicines is brought about by the misconduct or wilful negligence of the person requiring the same.

- (2) Any police officer unable to perform his duty shall report personally, or shall cause a report to be sent to his officer in charge and shall, if required, be sent for examination by a government medical officer and treatment.

7 Rates of pay

The pay and allowances of police officers shall be such as may from time to time be approved by the Minister.

8 Housing

Every police officer shall reside in quarters allotted to him unless permitted to reside elsewhere by his officer in charge.

9 Distribution of Force

- (1) The Force shall be distributed throughout Tuvalu by the Chief of Police, subject to the directions of the Minister, in such manner as to meet the requirements in the various islands thereof.
- (2) Every member of the Force will be liable to serve anywhere in Tuvalu at the direction of the Chief of Police and to proceed overseas when so directed for special training or when lawfully required so to do under Part VI of the Ordinance.

10 Complaints and petitions

- (1) Every police officer shall be entitled to make any complaint or application verbally or in writing to his superior officer who shall, on the request of the member, forward such complaint or application to the Chief of Police.
- (2) No police officer shall direct any petition to the Minister other than through the Chief of Police.

11 Force Order;

- (1) Orders made by the Chief of Police pursuant to section 8 (2) shall be known as Force Orders. Force Orders may be promulgated as Standing Orders or as Routine Orders. As soon as is practicable after the making thereof, the Chief of Police shall cause the officer in charge of each police station to be sent a copy of each Force Order and such officer shall upon receipt thereof take all reasonable steps to draw the Order to the attention of his subordinates. It is the duty of every police officer to make himself familiar with the provisions of all Force Orders for the time being in force

and to comply with such Orders and with all the provisions of the laws of Tuvalu affecting the duties of police officers. Ignorance of Force Orders shall not afford any excuse for their non-observance.

- (2) For the purpose of carrying out the provisions of the preceding sub-regulation, all Force Orders shall be read to all such police officers by a superior officer and, when necessary, interpreted and explained on the first station parade immediately after such Orders are received by the officer in charge thereof.
- (3) Every circumstance which affects the pay or service of any member of the Force shall be published in Force Orders as early as possible after the occurrence for the information of all members concerned.

12 Promotions

Members will be selected for promotion on the basis of official qualifications, experience and merit. In judging merit, due consideration will be given to the general suitability of an officer for the post for which he is being considered.

13 Employment

Any member of the Force may be employed on any work, not inconsistent with the office of a police officer for which he is fitted and which may be prescribed by the Chief of Police.

14 Training

The training of the Force shall be in accordance with instructions promulgated by the Chief of Police in Orders made by him pursuant to section 8 (2).

15 Uniforms

- (1) The badges of rank to be worn by the Chief of Police and other officers of the Force shall be as specified in paragraph 1 of Schedule 2.

Schedule 2

- (2) The buttons to be worn by members of the Force other than the Chief of Police shall be as specified in paragraph 2 of Schedule 2.
- (3) The Force Badges shall be of the pattern specified in sub-paragraph (2) of paragraph 3 of Schedule 2 and shall be worn as prescribed in sub-paragraph (b) of that paragraph.

- (4) The dress and accoutrements worn by the Chief of Police shall be in accordance with the dress regulations for gazetted ranks, subject to the optional modifications specified in paragraph 4 of Schedule 2.
- (5) The dress and accoutrements of officers of the rank of Inspector shall be as specified respectively in paragraph 5 of Schedule 2.
- (6) Members of the Force below the rank of Inspector shall be supplied with and wear uniforms as prescribed in Schedule 3.

Schedule 3

16 Discipline and offences against discipline

Any police officer below the rank of Inspector who —

- (a) is disrespectful in word, act or demeanour to a superior officer;
- (b) wilfully disobeys any lawful order;
- (c) is guilty of drunkenness;
- (d) renders himself unfit for duty by over-indulgence in intoxicating liquor;
- (e) absents himself from duty or his place of duty without reasonable cause or excuse;
- (f) is found sleeping at his post, or leaves his post before he is regularly relieved except in pursuit of an offender whom it is his duty to apprehend;
- (g) negligently allows to escape any prisoner who is committed to his charge or whom it is his duty to guard;
- (h) threatens, assaults, maltreats or neglects any person in his charge or in the custody of the Force;
- (i) discharges any fire-arm in his control without orders or just cause;
- (j) pawns, sells, loses by neglect, makes away with, wilfully damages or fails to report any damage to arms, ammunition, accoutrements, uniform or other appointment supplied to him or any government property;
- (k) is slovenly, inattentive, uncivil or quarrelsome;
- (l) fails to keep his quarters or any station under his control reasonably clean and tidy;
- (m) parades for duty dirty or untidy in his person, arms, clothing or equipment;
- (n) without due authority discloses or conveys any information concerning any investigation or other Force or departmental matter or thing;

- (o) malingers or feigns or wilfully produces the symptoms of any disease or infirmity;
- (p) is guilty of wilful misconduct, or wilfully disobeys, whether in hospital or elsewhere, any orders, by which misconduct or disobedience he produces or aggravates any disease or infirmity or delays the cure thereof;
- (q) incurs any debt without the reasonable expectation of being able to repay it when called upon to do so or which may embarrass him in his duties, or without permission of the Chief of Police becomes surety for any person or engages in any loan transaction;
- (r) fails to render a full and true statement of his financial position to the Chief of Police when called upon by him so to do;
- (s) resists an escort whose duty it is to apprehend him or to have him in charge;
- (t) makes any report which he knows to be false or inaccurate in some material particular or fails to disclose to his superior officers facts which it is his duty so to disclose;
- (u) engages without authority in any employment or office other than that of a police officer;
- (v) enters any dwelling-house, other than his own, while on duty, otherwise than in execution of such duty;
- (w) leaves any station or place at which it is his duty to remain without first obtaining the permission of his officer in charge;
- (x) makes any complaint or petition by means of any anonymous written communication;
- (y) is guilty of any act, conduct, disorder or neglect which is declared by Regulations made under this Ordinance to be an offence against duty or discipline; or
- (z) does any act or makes any omission likely to bring discredit upon the Force or is guilty of any act, conduct, disorder or neglect to the prejudice of good order and discipline not elsewhere specified in this Regulation,

shall be deemed to have committed an offence against discipline and shall suffer such punishment according to the nature and degree of seriousness of the offence as may be awarded in accordance with the provisions of the Ordinance.

17 Fines to be recovered by stoppage of pay

- (1) All fines imposed on a police officer in respect of offences under the Ordinance or under these or any other Regulations under the Ordinance

shall be recovered by stoppage of the pay due at the time of committing such offence and thereafter accruing due to the convicted officer.

- (2) The amount of stoppage in respect of any fines or for any other cause authorised by the Ordinance or by these or any other Regulations made under the Ordinance shall, subject to any appeal to the Chief of Police, be in the discretion of the officer by whom the fine was imposed but shall in no case exceed one-third of the pay of the convicted officer; and whenever more than one order of stoppage is in force against the same person so much only of his pay shall be stopped, as shall leave him a residue of at least two-thirds of his pay.
- (3) Where more than one order of stoppage is made upon the same person, the orders later in date shall, if necessary, be postponed as to their enforcement until the earlier orders have been discharged.

18 Canteens

- (1) The Chief of Police may establish canteens at which foodstuffs, household necessities and individual requirements may be purchased by members of the Force.
- (2) The means and methods of the establishment, organisation and conduct of the canteen shall be provided for in Force Orders made by the Chief of Police under regulation 11.
- (3) No person other than a serving member of the Force, or a member of the family of a serving member of the Force living in police quarters, shall be permitted to make any purchase either for credit or cash, at the canteen.

19 Visitors

All persons having business with the Force shall report the same to the officer in charge of the station in question.

20 Found and unclaimed property

- (1) It shall be the duty of every police officer to take charge of any unclaimed property and deliver the same with all reasonable expedition to the officer in charge of the nearest police station.
- (2) The officer in charge of any police station to whom unclaimed property is delivered (whether by a police officer or by any other person) shall forthwith enter into a book to be kept by him for such purpose a description of the property, the day and time of its receipt by him and the name and address of the finder.

- (3) Upon making the entries required by the preceding sub-regulation the officer in charge concerned shall forthwith cause a notice specifying the property in question to be posted in some conspicuous place to which the public have access at the police station.
- (4) If within 3 months of the date of the posting of any notice under the preceding paragraph any property specified therein has not been shown to the satisfaction of the Chief of Police or officer in charge of police to belong to some person, such property shall be sold by public auction or, if in the opinion of the Chief of Police or officer in charge of police such property is valueless, it shall be destroyed by a police officer:

Provided however that in the case of any property of a wasting or perishable nature the Chief of Police may direct the reduction of the period of 3 months hereinbefore specified to such period as he shall deem fit.

- (5) A police officer shall not take part in any public auction for the sale of unclaimed property under these Regulations or in any manner acquire, or purport to acquire, ownership of such property.
- (6) The proceeds of the sale of any property under this regulation shall, after the deduction of any expenses incurred by such sale, be paid into the Consolidated Fund:

Provided however that it shall be lawful for the Chief of Police to direct that before so doing, from the sum payable into the revenues as aforesaid, some reasonable part thereof, not exceeding one half, may be paid by way of reward to any person, other than a police officer who found such property.

21 Bail by police

- (1) In any case in which any arrested person is released from custody by a police officer of or above the rank of sergeant or the officer in charge of the police station under the provisions of section 23 of the Criminal Procedure Code Ordinance, upon such person entering into a recognisance for a reasonable sum, with or without sureties, such recognisance shall be in Form A in Schedule 1.

Cap. 7 Schedule 1 Form A

- (2) In any case in which a person arrested is released from custody by a police officer under the provisions of section 19 of the Criminal Procedure Code Ordinance, upon such person executing a bond, such person shall enter into a recognisance in Form A in Schedule 1 or, if such police officer permits, such person, not being resident outside Tuvalu shall execute a Cash Bail Bond in Form B in the said schedule and at the same time

deposit such reasonable sum in cash as shall be determined by such officer. Such Cash Bail Bond shall be executed in duplicate, one copy being retained by the person executing the same and one by the police officer permitting its execution.

Schedule 1 Form A Form B

- (3) Any Cash Bond duly completed under the preceding paragraph shall take effect as a bond conditioned as shall be therein specified. Subsequent to the determination of the matter in respect of which any such Cash Bail Bond was completed the sum deposited thereunder shall, unless forfeited, be refunded to the person who deposited the same upon his surrendering his copy of such Bond.

22 Retirement

The provisions of the Public Service Regulations 1984 as amended from time to time relating to retirement on grounds of age shall apply to the retirement of all members of the Force below the rank of Inspector.

SCHEDULE 1

(Regulation 21)

FORMA - TUVALU

TUVALU POLICE

RECOGNISANCE OF BAIL

(Regulation 21)

The undermentioned persons each acknowledge that they owe to our Sovereign Lady the Queen the following sums:

of, as principal, the sum of, and*,

of, as surety, the sum of and*, of,

as surety, the sum of each, payment thereof to be enforced severally against them by due process of law if the principal fails to comply with any of the conditions endorsed hereon.

Signed at thisday of19.....

..... **PRINCIPAL.**

..... *** SURETY.**

..... *** SURETY.**

Before me:Name

..... Station

..... Rank and No. in Force

(*If any)

CONDITIONS

The condition of this recognisance is that if the principal appears before the Magistrate’s Court/Island Court sitting aton theday of19 at the hour ofin the noon

(or appears at every time and place to which during the course of the proceedings against the principal the hearing may from time to time be adjourned, unless the Court otherwise orders in the meantime) to answer to the charge made against him/her by.....

THEN THIS recognisance shall become void, but otherwise shall remain in full force and effect.

FORM B TUVALU

TUVALU POLICE

CASH BAIL BOND

(Regulation 21)

NO.....

RECEIVED the sum of \$as security for the appearance of at the Magistrate’s Court/Island Court to be held at the Court House at on theday of19ato’clock in thenoon or at such other adjourned date as he/she may be called on to answer to a charge ofpreferred against him/her.

Notice is hereby given that it is a condition of this bond if the saidfails to attend in answer to the said charge at the place and time above specified, this bail may be forfeited and a warrant may be issued for his/her apprehension.

OFFICER IN CHARGE

STATION

I acknowledge myself to be bound by the above-written conditions.

.....

Witness:

RECEIPT

I hereby certify that I have this day received the above-named sum of.....

SIGNATURE:.....

WITNESS:DATE:.....

NOTICE

This receipt must be returned when claim of refund of Bail Money is requested.

SCHEDULE 2

(Regulation 15)

UNIFORMS

1. Badges of rank shall be —

Inspector	2 stars on each shoulder strap
	Peaked cap: plain peak
Chief of Police	Crossed tipstaves surrounded by wreath on each shoulder strap
	Peaked cap: 1 row of silver embroidered oakleaves on peak.

2.
 - (a) Buttons for police officers other than the Chief of Police will bear the Tuvalu Badge surrounded by Garter.
 - (b) Buttons for all forms and types of uniforms shall be medium size 27 ligne.
 - (c) Buttons will be chromium plated on nickel silver.

3.
 - (a) Badges-the Tuvalu emblem surrounded by Garter with “Tuvalu Police” therein, the whole surmounted by the Royal Crown.
 - (b) Force badges will be worn as follows —

on the helmet and cap	Normal size
on the khaki tunic, bush-jacket and mess-dress	miniature size
on full-dress cross-belt	large size

4. The dress of the Chief of Police shall be in accordance with dress Regulations for gazetted ranks with the following optional modifications at the discretion of the Chief of Police —
 - (i) white cap cover may be worn on blue peaked cap with full dress in lieu of helmet;
 - (ii) red cummerbund with mess kit in lieu of blue cummerbund;
 - (iii) the Force colour for stripes on seam of overalls shall be silver grey as an alternative to the colour of biscuit prescribed in the said dress Regulations;

- (iv) “George” boots without spurs may be worn as an alternative to half Wellingtons if a peaked cap is worn in lieu of helmet;
 - (v) no sash in lieu of cross-belt need be worn if peaked cap is worn in lieu of helmet;
 - (vi) a blue beret may be worn with undress uniform in lieu of peaked cap for touring or in inclement weather;
 - (vii) dark blue serge sulu and black leather sandals may be worn in lieu of overalls and boots.
5. The dress of officers of the rank of Inspector shall be —

(a) **WORKING DRESS**

Bush Tunic-Khaki drill single breasted buttons 4 and eyelets, buttons stand out on open faced lining to form protector. Polo shirt collar. Waist seam all round. Two breast pockets with 2 1/4 inch pleat down centre, 3 pointed flaps. Two button pockets patch inside, 3 pointed flaps. Whole back with vent to waist seam. Detachable waist hooks chromium plated on nickel silver. Short sleeves 1 1/2 inch permanent turn up. Shoulder straps of self-material cut to clear collar.

OR

Shirt-Silver grey shirting material. Shirt pattern. Buttons 2 and eyelets. Polo shirt collar with no buttonhole. Two breast pockets 2 1/4 inch pleat down centre. Three pointed flaps. Buttonhole and eyelet hole and button protector. No vent in back. Short sleeves 1 1/2 inch permanent turn up. Round end shoulder straps cut to clear collar; buttonhole and eyelet hole protector formed by facing.

Shorts-Khaki drill, fly front, side pockets, waist band all round 3 1/4 inches deep with 4 pleats. Five belt loops with button and buttonhole 2 in front, 2 at side seams and 1 at back 4 1/4 inches opening. Two side straps with detachable buckle. Buttons corozo.

Stockings-Khaki with dark blue nylon 3 inches turnover tops. Shoes-Black with Oxford front and plain toecap. Sandals-Black leather sandals of the Force pattern.

Peaked Cap-Universal pattern in dark blue cloth with hinged spring in front of chin strap of black patent leather 3/8 inch wide buttoned on to 2 small buttons. The band to be plain black mohair braid. The peak will be plain black patent leather.

Accoutrements-Sam Browne belt and frog, black leather with chromium plated on nickel silver fittings. Revolver holster, black leather with chromium plated on nickel silver fittings.

Revolver-38.

Medal Ribbons-To be 3/8 inch and to be worn on a bar or sewn on the garment without intervals in the same position as medals 1/2 inch above the left breast pocket.

Lanyard-Dark blue silk cord 36 inches double with Metropolitan Police pattern whistle.

Cane-Twenty-four inches long including Metropolitan Police pattern whistle fixed on top covered in black leather except for 6 inches in centre for hand grip.

(b) **UNDRESS**

The following items of undress will be as for working dress: shoes, helmet, peaked cap, accoutrements, revolver, badges of rank, medal ribbons, lanyard and cane.

Sword-Infantry pattern, the guard to embody the Imperial cypher with black leather scabbard and knot.

Waterproof Coat-Khaki or dark blue.

(c) **MESS DRESS**

As laid down for officers of the rank of Assistant Superintendent and above in the dress Regulations prescribed for colonial police officers of gazetted rank by the Secretary of State except that a dark blue serge tailored sulu and black leather sandals shall be worn in lieu of overalls and boots, and a red cummerbund shall be worn.

A modified form of mess dress may be worn on suitable occasions, viz. opennecked white shirt with short sleeves and small size uniform buttons and miniature badges on epaulettes, red cummerbund and black evening trousers with black socks and black shoes or sulu with black sandals.

Tunic-White drill, patrol jacket shape and cut patch pockets with flaps on each side of the breast with box pleats down the centre. Five large buttons down the front and 1 small one for each pocket. Sleeves cut plain with pointed cuffs 6 inches deep at the points and 3 inches at the seams slit with 3 small buttons.

Shoulder straps of self-material. The coat to have 2 vents of 5 inch depth. The collar square in front and fastened with 2 hooks and eyes.

Sulu-Dark blue serge, tailored.

Sword-As in undress but with scabbard chromium plated on nickel silver.

SCHEDULE 3

(Regulation 15)

UNIFORM FOR POLICE OFFICERS BELOW THE RANK OF INSPECTOR

- 1 Belt, black leather with chromium-plated nickel silver fittings;
- 1 Pouch, black leather for ammunition;
- 1 Cape, waterproof, dark blue;
- 4 Shirts, silver grey Force pattern;
- 4 Shorts, Khaki drill;
- 2 Chevrons, set, for medal ribbons for those entitled, silver on blue;
- 2 Badges, Force;
- 2 Numerals, sets;
- 9 Buttons, medium;
- 2 Broaches for medal ribbons for those entitled;
- 1 Baton with thong;
- 1 Whistle and chain;
- 1 Frog, baton;
- 2 Shoes, pairs, black leather;
- 1 Cap, forage, dark blue
- 2 Stockings, pairs, nylon blue;
- 1 Kitbag;
- 1 Helmet, riot;
- 1 Brush leather;
- 1 Stick, button;
- 1 Cover Notebook.

Ceremonial Dress —

- 1 Cap, forage, dark blue
- 1 Tunic, white drill;
- 1 Cumberbund, red;
- 1 Sulu, dark blue serge;
- 1 Sandals, pair, black leather.

ENDNOTES**Table of Legislation History**

Legislation	Year and No	Commencement

Table of Renumbered Provisions

Original	Current

Table of Endnote References